

1

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

Proceedings, January 7, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

January 7, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by City Clerk, Rita M. Bauman.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Adado.

Pledge of allegiance.

By COUNCILMAN SCHMIDT—

That the council proceedings of December 3, 1984 be approved.

Carried.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Charter of the City of Lansing designates the first regularly scheduled meeting of each year as the annual organizational meeting, and

Whereas, two persons from the membership are to be selected to serve as Council President and Council Vice President respectively,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially selects Councilmember Charles M. Creamer to serve as Council President for a term of one year, and

Be It Further Resolved the Council hereby selects Councilmember Tony Benavides to serve as Council Vice President for a term of one year and act in the absence of the Presiding Officer.

Adopted by the following vote:

Unanimously

HEARING ON PROPOSED CHANGE IN ZONING CLASSIFICATION

January 7, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983 said proposed amendment being as follows:

That the property described as: Z-23-84—1617 E. Jolly Road (to amend Ord. #2141) to be rezoned from "A" Residential District to "H" Light Industrial District.

The Council President announced that if there was anyone present who had any suggestions or objections

to make to the proposed amendment to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

James L. Fiser spoke opposing the rezoning.

Richard Fiser spoke in favor of rezoning.

Referred to the Committee on Physical Development.

PUBLIC HEARING

January 7, 1985 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed amendment to Chapter 16 of the Code of Ordinances by adding Section 16-3.1 to provide for the storage upon and removal of the refuse from Commercial properties.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance amendment they had the privilege of speaking at this time.

Referred to the Committee on Public Properties and Safety.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Robert T. Earls spoke regarding Communication #10—Willard Street Dike.

Richard Fiser, 1909 E. Willard spoke regarding the Willard Street Dike.

Laurie Downs, 320 N. Sycamore asked Councilmembers to speak louder.

Those speakers opposing the Sewage Rate Task Force recommendations (Committee Report on agenda) were:

Al LeBlanc, 2021 Cumberland Rd., representing River Forest Neighborhood Association.

Steve Manchester, 514 Westmoreland, representing Walnut School Neighborhood Association.

Phil Hargerman, 1919 Rex.

Rick Lilly, 732 Sandlyn Dr.

Jay Whitney, 901 Bates, representing Gier Park Neighborhood Association.

Evelyn Dryer, 2110 Melvin Court.

Clyde Cummins, 900 Bates.

John Boettjer, 2723 Arlington Rd.

Debbie Mulcahey, 713 W. Genesee.

Dixie Pemberton, 924 Dakin St., representing Potter Park Neighborhood Association.

Those speaking opposing the Genesee Street School Closing—(Item #11 Communications and Petitions) were:

Gary Goolsby, 914 W. Ionia
Hazel Bethea, 1002 W. Shiawassee
Bill Downs, 320 N. Sycamore
David Vick, 408 N. Walnut
David Osborn, 705 N. Walnut, President of the
Downtown Neighborhood Association
Hilda Patricia Curran, Osborn Road
Richard Baker, 1004 W. Lapeer Street
John Remick, 722 N. Sycamore

Motion by Councilman Blair:

I move that the Council request the administration and the City Attorney to investigate the number of voluntary co-operative agreements between the Lansing School District and the Lansing City Council and report back by January 14, 1985.

Carried

Councilman Blair moved for a 10-minute recess.

Carried

(City Council recessed at 9:00 p.m. and reconvened at 9:10 p.m.)

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been received for licenses.

PUBLIC DRIVERS — Dean S. Orweller, Bruce L. Allen, Orval D. King, Shannon T. Love, and Arlan A. Perry

ICE CREAM PEDDLER — Captain Blizzard

MECHANICAL AMUSEMENT DEVICE — Beeman's Super Market

Referred to the Committee on General Services

Suit filed in Circuit Court by Martin Barner vs City of Lansing for injuries sustained while riding a bicycle on a city street.

Referred to the Mayor and City Attorney

Claims filed by:

Jan P. Benedict, Attorney, representing Elizabeth Jefferson, for injuries sustained from a fall on a city sidewalk.

Helen Baldwin, Lake, Mi., for broken eyeglasses from a fall on a city street.

Helen and Thomas Conrad, Grand Rapids, Mi, protesting special assessment for grass mowing.

Lucille Smith, 5831 Schafer St., for reimbursement of carpet damaged due to sewer water flooding basement.

Referred to the Mayor and City Attorney

Petitions filed for rezoning:

a. Z-1-85 — 1000 block E. Main Street, described as, All that part of Lots 24, 25, 26, 27, and 28 which lies SE ly of a line 8 ft. SE ly and par to a line described as com 20 ft. west of the NE cor or Lot 24, TH south 71 deg 42 min 34 scd west 300 ft. to pt of ending, Block 5, Manufacturers Addition No. 1, City of Lansing, to be rezoned from "C" two-family district to "D-1" Professional District filed by Freeman, Smith, and Oppen.

b. Z-2-85 — 1620 and 1730 Sunset St. to be rezoned from "A" Residential District and "H" Light Industrial District to "I" Heavy Industrial District. (Description attached to petition).

Referred to Mayor and Planning Board

Application for Industrial Facilities Exemption Certificate filed by Wellman Press, Inc., 200 North Cedar St., for rehabilitation of facility.

Referred to the Mayor and Committee on Economic Development

Request to establish an Industrial Plant Rehabilitation District for property at 1508 N. Grand River Ave. filed by Nehi Beverages.

Referred to the Mayor and Committee on Economic Development

Petitions filed by:

a. Otto Park Neighborhood Watch for traffic control signs on Southeast corner of Luwanna/Champion Way/ Solomon Drive and the corner of Stoneleigh and Solomon Drive.

b. Margaret and Dan Beard for replacing the yield signs at the Donald/ Everettdale intersection with stop signs.

Referred to the Mayor and Traffic Board

Letter from Michigan Municipal League regarding annual Legislative Conference to be held Feb. 27, 1985.

Received and placed on file

River Forest Neighborhood Association submits letter opposing recommendations of the Sewage Rate Task Force.

Referred to the Mayor and Public Service Board

Letter from Robert T. Earls requesting information regarding the Willard Street Dike.

Referred to the Mayor

The River Island Citizens Advisory Committee submits letters opposing proposed closing of Genesee Street School.

Referred to the Mayor, Lansing Board of Education, and Committee on Intergovernmental Relations

Michigan Department of Natural Resources submits extension for Permit for Snell Environmental Group, Inc. for the Grand River.

Received and placed on file

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Mayor's Letters — 1c (Joyce Tedder — Civil Rights Complaint); 1o (Parking Meter Violation Variable Fine Structure) and 1v (Public Act 367, 1982/Investment Pools).

REPORTS OF COMMITTEES

Approves the following Licenses and Bonds:

Public Drivers — Dean S. Orweller, Bruce L. Allen, Arlan A. Perry, Orval D. King, Shannon T. Love
Ice Cream Peddler — Captain Blizzard
Mechanical Amusement Device — Beeman's Super Market Co.

Signed:

SIDNEY WORTHINGTON
ALFREDA SCHMIDT
CHARLES CREAMER

By COUNCILMAN WORTHINGTON

That the report of the Committee be adopted.

Carried.

The SEWER RATE TASK FORCE COMMITTEE

To whom was referred the Sewer Rate Task Force Recommendations. Reports as follows:

Pursuant to the Lansing City Council resolution adopted on May 21, 1984, the Sewer Rate Task Force has studied the desirability of retaining an appropriate consultant to perform a "cost-of-service" study with regard to sewer rates charged by the City of Lansing.

The Sewer Rate Task Force on December 20, 1984 recommended that a "cost-of-service" study be performed by the City of Lansing. (5 years - 2 nays).

Attached please find a proposed resolution for City Council action as approved by the Sewer Rate Task Force. I am recommending the proposed resolution be referred to the Physical Development Committee and Ways & Means Committee for their review and recommendations prior to City Council taking action on this matter.

Signed

TONY BENAVIDES

By COUNCILMAN BENAVIDES

That we amend this committee Report by removing the referral to the Physical Development Committee and Ways & Means Committee and insert "referred to the Mayor and Public Service Board."

The Committee Report as amended was adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

DATE: 12-19-84

TO: City Council President Lindemann and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: State Board of Education Newsletter

RE: Michigan Rehabilitation Services Award

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor.

Received and placed on file

DATE: 12-18-84

TO: City Council President Lindemann and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Lansing Regional Chamber of Commerce

RE: Michigan State University Athletic Facilities.

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor.

Received and placed on file.

DATE: 12-17-84

TO: City Council President Lindemann and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the City Attorney's office

RE: Joyce Tedder - Civil Rights Complaint

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor.

Received and placed on file.

DATE: 1-3-85

TO: City Council President Lindemann and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Elm St. and Washington Ave, No Left Turn 6 a.m. - 6 p.m.

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

DATE: 1-3-85

TO: City Council President Lindemann and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Foster St. : No Parking Request

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

DATE: 1-3-85

TO: City Council President Lindemann and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Glenburne Blvd. and Seaway Dr. : Traffic Control Request.

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

DATE: 1-3-85

TO: City Council President Lindemann and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Main St. and Washington Ave. : No Left Turn 3 p.m. - 6 p.m.

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

DATE: 1-3-85

TO: City Council President Lindemann and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Marion and Hillcrest: Stop Sign Request
Marion and Pompton: Stop Sign Request

The attached correspondence is submitted with my concurrence for action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

DATE: 1-3-85

TO: City Council President Lindemann and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Midwood St. and Renee St. : Stop Sign Request

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

DATE: 1-3-85

TO: City Council President Lindemann and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Ontario St. : Two Hour Parking

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

DATE: 1-3-85

TO: City Council President Lindemann and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Pattengill Ave.: No Stopping/Standing/Parking Request

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

DATE: 1-3-85

TO: City Council President Lindemann and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Proposed Signal at Pennsylvania Ave/ Healthcare Court

The attached correspondence is submitted with my concurrence for action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety

DATE: 1-3-85

TO: City Council President Lindemann and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Pennsylvania/Keystone/Louisa: Traffic Signal Request

The attached correspondence is submitted with my concurrence for your action

TERRY J. McKANE
Mayor.

Referred to the Committee on Public Properties and Safety

DATE: 1-3-85

TO: City Council President Lindemann and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Reo Road: Multi Way Stop Signs

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety

DATE: 1-3-85

TO: City Council President Lindemann and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Parking Meter Violation Variable Fine Structure

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety

DATE: 1-3-85

TO: City Council President Lindemann and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence

RE: Board Evaluations for 1984:

Park Board

Planning Board

Plumbing Board/Electrical/Building Board of

Appeals

Public Service Board

Traffic Board

The attached correspondence is submitted for your information.

TERRY J. MCKANE
Mayor.

Park Board - Referred to the Committee on Public Properties and Safety

Planning Board - Referred to the Committee on Physical Development

Plumbing Board/Electrical/Building Board of Appeals - Referred to the Committee on General Services

Public Service Board - Referred to the Committee on Physical Development

Traffic Board - Referred to the Committee on Public Properties and Safety.

DATE: 1-3-85

TO: City Council President Lindemann and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Department

RE: Community Development Block Grant, Statement of Objectives and Proposed Activities, Fiscal Year 1985-1986

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE
Mayor.

Referred to the Committee on Physical Development

DATE: 1-3-85

TO: City Council President Lindemann and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Planning and Municipal Development Department

RE: Z-28-84, 5632/5700 South Logan St.

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Physical Development

DATE: 1-3-85

TO: City Council President Lindemann and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Planning and Municipal Development Department

RE: Z-30-84, 3012 North East St.

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Physical Development

DATE: 1-3-85

TO: City Council President Lindemann and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Planning and Municipal Development Department

RE: Z-31-84, 2423 South Cedar/515 Lincoln Ave.

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE
Mayor.

Referred to the Committee on Physical Development

DATE: 12-19-84

TO: City Council President Lindemann and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Finance

RE: Transfers

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Ways and Means

DATE: 1-3-85

TO: City Council President Lindemann and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Finance Director

RE: Public Act 367, 1982/Investment Pools

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE,
Mayor.

Referred to the Committee of the Whole

RESOLUTIONS

Resolution of Special Tribute

Resolved by the City of Lansing

Whereas Earl Brush has served this community with distinction as General Manager of the Board of Water and Light since 1972, and

Whereas his career in the utility industry in both

Ohio and Michigan has spanned four decades, and

Whereas, Earl's state and local involvement is notable, serving as Chairperson of the Michigan Public Power Agency and Chairman of the Board of Directors of Lansing General Hospital, and

Whereas, his abilities are also well known on the national scene, having participated in the American Public Power Association in many capacities over the years, including serving as President in 1980 and 1981, and

Whereas, the citizens of Lansing can be extremely proud to have one of the very finest public utilities in the United States, thanks, in large measure to Earl Brush's excellent management, and

Whereas, Earl and Dorothy will soon be blazing a new trail in the mountains of Tennessee, far away from our local politics of which they have become so fond;

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby officially salutes the career of Earl Brush, and

Be it finally resolved, on behalf of the citizens of Lansing, we wish Earl and Dorothy, many happy and healthy years of retirement.

Adopted by the following vote:

Unanimously

By COMMITTEE OF THE WHOLE

Resolved by the City Council of the City of Lansing:

Whereas a vacancy in the Data Processing Division of the Administrative Services Department has presented an opportunity to correct an imbalance in the division's table of organization, and

Whereas, the department has requested Council approval to delete the vacant Principal Programmer/Analyst 37 position and to create a new Senior Programmer/Analyst 35 position, which would result in a savings in salary as well as a better-equalized work force;

Now, Therefore Be It Resolved, the Lansing City Council hereby approves an immediate change in the table of organization for the Data Processing Division of the Administrative Services Department to delete one currently-vacant Principal Programmer/Analyst 37 position and add one Senior Programmer/Analyst 35 position.

Adopted by the following vote:

Unanimously.

By THE COMMITTEE OF THE WHOLE

Resolved by the City Council of the City of Lansing:

Whereas, the City is involved in negotiations with its Police, Park Police, and 911 employees, and

Whereas, requests for Act 312 arbitration have been, or may be filed on behalf of these employees, and

Whereas, the City has an immediate need for outside legal representation to protect its interests in those matters, now

Therefore Be It Resolved, the City Council of the City of Lansing, pursuant to the provisions of the City Charter, hereby authorizes retention of the Law Firm of Miller, Johnson, Snell, and Cummiskey to represent it in the above mentioned Act 312 cases and the requisite preparations therefore, and

Be It Further Resolved, within six (6) months the City Attorney shall explore the possibility of retaining other Lansing law firms to represent the City in labor

related matters and report back to this Council.

By COUNCILMAN BELEN

The last be it resolved be corrected to read: "Be It Further Resolved, that the City Council shall select a Lansing law firm to represent the City in labor related matters after receiving the report of the City Attorney."

Carried

The Resolution as amended was adopted by the following vote:

Unanimously.

By COUNCILMEMBERS BENAVIDES AND BLAIR

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried

Claim submitted by Mrs. Josephine Murrell, 3331 S. Catherine, for payment of ambulance fees.

Referred to the Mayor and City Attorney.

Letter from Arthur Arvanites, owner of Harry's Bar, 404 North Verlinden, in regard to alley behind his business.

Referred to the Mayor.

By COUNCILMAN BLAIR

Resolved by the City Council of the City of Lansing:

Whereas, several employees of the Lansing Fisher Body Plant who have been temporarily displaced from their regular parking lots and are now parking on residential streets instead of their assigned interim lot, and

Whereas, the influx of long-term parkers on residential streets is creating an inconvenience for the neighborhood;

Now, Therefore Be It Resolved, the Lansing City Council hereby requests the Transportation Engineer to use the authority granted by Section 31-12 of the Traffic Code to establish and enforce any temporary parking regulations necessary to protect parking rights of residents in the neighborhood east of the Fisher Body Plant.

Adopted by the following vote:

Unanimously.

REMARKS BY THE MAYOR

Proclamation

Whereas, the spectre of starvation endangers a population of 185 million people in 27 African nations. The latest estimates indicate the fatality rate to be in excess of 40,000 monthly, and

Whereas, the League of Red Cross and Red Crescent Societies is operating food and medical assistance programs in 14 of the most critically affected nations, and

Whereas, The Red Cross assistance programs are concentrating on the most vulnerable groups: children, pregnant women, nursing mothers, and the elderly, and

Whereas, The Red Cross has been carrying out famine relief and nutrition programs in Africa for the past 50 years. The current famine situation is the worst in Africa of the century, and

Whereas, complicating the current relief programs is the fact that three million people have been forced to flee their homeland because of political and economic upheavals, and

Whereas, because of its neutral status, the Red Cross is often allowed to enter and give aid to the residents of countries embroiled in political upheaval;

Now, Therefore, I, Terry J. McKane, Mayor of the City of Lansing, by the power vested in me, do hereby proclaim January 7-12, 1985, as:

"SAVE A LIFE WEEK"

in Lansing, and urge all citizens of this community to join with me in supporting the massive efforts of the Red Cross in aiding those in desperate need in Africa.

Given under my hand and the Seal of the City of Lansing this seventh day of January in the year of Our Lord one thousand nine hundred and eighty-five.

TERRY J. McKANE,
Mayor.

REMARKS BY THE CITY COUNCIL

Councilmember Blair questioned the status of the Industrial Park (Old Diamond Reo Site).

Councilmember Lindemann remarked about trash still in the yard at 816 Community.

Councilmember Schmidt asked about the crossing guard at Greenlawn/Maplewood Sts.

Council President Creamer introduced two Michigan State University students helping with the cameras.

Richard and Helen Fiser both questioned the rezoning petition referral to Committee for Z-23-84 -1617 E. Jolly Road.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 10:10 P.M.

RITA BAUMAN,
City Clerk

January 7, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

8

Proceedings, January 14, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

January 14, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Belen.

Pledge of allegiance.

By COUNCILMAN SCHMIDT—

That the council proceedings of December 10, 1984 be approved.

Carried.

PUBLIC HEARING

January 14, 1985 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Commercial Redevelopment District for Albert E. Gentilozzi, 521 and 527 N. Capitol Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed district they had the privilege of speaking at this time.

Referred to the Committee on Economic Development.

PUBLIC HEARING

January 14, 1985 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Commercial Redevelopment District for Anthony P. Nosal, Sr., 2229 W. Holmes Rd.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed district they had the privilege of speaking at this time.

Referred to the Committee on Economic Development.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA, COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR THREE MINUTES ON ANY ONE ITEM.

Speakers regarding Mayor's letter 4h (Adult Crossing Guard Request: Greenlawn and Maplewood) were:

James Swift, Principal, Maplewood Elementary School, Mrs. Duffy, and Connie Severy.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

AUTOMOBILE WRECKER — Eugene Hetherington

Referred to the Committee on General Services

Claim filed by:

a. Gregory S. Vanek for reimbursement of towing and storage fees incurred after his Honda Express Moped was stolen.

b. Brian Jeffries, 106 W. Allegan St., for reimbursement of permit fees paid for political signs.

Referred to the Mayor and City Attorney

Petition filed for construction of sanitary sewer on Sheridan Road from Turner Street east to 110 E. Sheridan Road.

Referred to the Mayor

Michigan Liquor Control Commission submits request from G.E.M. Inc. for transfer of 1984 Class C licensed business located at 908-910 W. Saginaw St. from Marden Corporation.

Referred to the Committee on General Services

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA:

Mayor's letter 4a (Inspection of 816 Community Street); 4b (Appointment to Elected Officers Compensation Commission); and 4c (Convening of Elected Officers Compensation Commission).

REPORTS OF CITY OFFICERS AND BOARDS

January 9, 1985

President Charles Creamer and Members of the Lansing City Council

RE: Claim of Irene Wischmeyer in the amount of \$25.00

Dear President Creamer and Members of City Council:

Claimant has submitted this claim for reimbursement of medical expenses she incurred as a result of an accident that occurred while she was working as an election inspector on November 6, 1984.

This claim is covered by the Workers' Compensation Act and has been referred to the Workers' Compensation Division of the Personnel Department. Both claimant and the City Clerk's office have been informed that an accident report of any on the job injury is required and that the claim will be processed according to the procedures of the Personnel Department.

Therefore, no further action in this matter need be taken.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

Received and placed on file

January 9, 1985

President Charles Creamer and
Members of Lansing City Council

RE: Claim of Howard Higgins in the amount of
\$660.00

Dear President Creamer and
Members of City Council:

Howard R. Higgins submitted a claim on May 21, 1984, for property damage to his home at 6000 Kyes Road in the amount of \$660.00. Claimant states that on May 7, 1984, a Lansing Police Officer kicked in the back door to his home and broke a dining room bench attached to the wall. Claimant states that the Lansing Police Department was "looking" for his 10 month old child. Claimant indicates that LPD had full knowledge of the child's whereabouts because he had informed two officers of the child's whereabouts the night before and again called LPD the morning of May 7 to inform LPD of the whereabouts of the child.

Investigations conducted with the Lansing Police Department reveals that the Claimant's wife, Maria Higgins, was stopped and arrested for OUIL May 6, 1984, at approximately 6:09 p.m. She was taken to the Lansing Police Department jail. At approximately 11:40 p.m., Ms. Higgins stated that her 10 month old child was left sleeping unattended at their home at 6000 Kyes Road. Gene Mellen, from Protective Services, was contacted. At approximately 10:03 a.m., Monday, May 7, the Lansing Police Department was telephoned by Mr. Mellen requesting assistance at 6000 Kyes Road for a possible unattended 10 month old child. Ms. Higgins again indicated to the Monday morning shift that the child was left unattended and that her husband was out of town. Officer Clickner and Sgt. Vincent were dispatched. After being advised of the situation by Gene Mellen at the 6000 Kyes residence, all the windows and doors were checked and found to be locked. Forced entry was gained by breaking into the residence through the back door. Officer Clickner indicates to this office that in gaining entry to the house so it could be determined whether a 10 month old child was left unattended, the police officer broke a 2' x 3' window out of the garage and the inside door to the house was kicked in, damaging two locks and the door casing.

Lansing Police Department has searched its records and cannot refute the fact that two officers were informed by Mr. Higgins that he indicated to them that he had custody of the 10 month old child. That information was not relayed to the next shift or Uniform Command. When the call came in to Dispatch Monday morning from Protective Services, the officers were dispatched immediately and Uniform Command or the City Jail was not contacted regarding any information they may have had on the whereabouts of the 10 month old child.

Michigan law does not exempt a municipality from liability where injury is in the form of a direct trespass. The courts have held that the right of an individual to occupation and enjoyment of his/her premises is exclusive, and public authorities have no more liberty to trespass upon them than has private individuals. See *Robinson v Township of Wyoming*, 312 Mich 14, 19 NW 2nd 469 (1965). Based upon the foregoing facts, the Lansing Police Department, although acting promptly to what those in decision-making capacities perceived to be an emergency, and although in good faith, did unwittingly commit a trespass ab initio.

Therefore, it is the recommendation of this office

that this claim be granted.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of \$660.00 payable to Howard Higgins.

Carried

January 9, 1985

President Charles Creamer and
Members of the City Council

RE: Claim of Mercy Ambulance in the amount of
\$278.00

Dear President Creamer and
Members of City Council

Recently, Lansing Mercy Ambulance Service submitted a claim in the amount of \$278.00. The claimant is seeking reimbursement of the cost of ambulance incurred by Mercy Ambulance for transportation of an individual on October 26, 1984. The Lansing Police Department submitted both a police report and a narrative prepared by Sgt. Doug Williams regarding this matter. The following is a summation of both reports.

On October 25, 1984, in the 3100 block of Maloney Street, an individual was arrested for indecent exposure. Early that morning the defendant was observed by Sgt. Doug Williams lying on the floor of his cell. The defendant would not respond to Sgt. Williams' questions concerning his welfare and began babbling incoherently at the ceiling and striking his chest and yelling loudly.

Sgt. Williams called Lansing Mercy Ambulance to transport the defendant to St. Lawrence Hospital for treatment. Upon arrival at St. Lawrence Hospital the patient was not admitted and the ambulance was directed to take the patient to Ingham Medical Hospital for commitment.

According to the Lansing Police Department, the Lansing Fire Department was never contacted to provide ambulance service and should have been contacted. Section 4-303.5 of the Lansing City Charter provides that:

"The department shall maintain and operate such ambulance, inhalator and other life saving and emergency service as the welfare of the inhabitants may require and as the Council may direct."

Based upon the recommendation of Police Chief Richard Gleason, the applicable Lansing Charter provision, and the facts as presented in this particular case, this office recommends that Lansing Mercy Ambulance Service be reimbursed for the sum of \$278.00.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMAN BENAVIDES

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of \$278.00 payable to Mercy Ambulance Service.

Carried

January 9, 1985

President Charles Creamer and
Members of Lansing City Council

RE: Claim of Linda Eckelbecker in the amount of
\$40.00

Dear President Creamer and
Members of City Council

On October 29, 1984, Linda Eckelbecker submitted a claim for reimbursement of a soft contact lens in the amount of \$40.00. Claimant states that the contact lens was damaged when the windows in the Accounting office located in the Lansing Police Department were frosted with an aerosol spray. Claimant states that she was aware of the possible consequences of the aerosol spray on her soft contact lenses and therefore, in order to avoid any damage to her soft contact lens, claimant moved to another office down the hall. However, apparently, the fumes of the aerosol spray permeated through the hallways into the office in which claimant had moved and damaged claimant's soft contact lens.

Lt. Jerry Mires indicates that the windows in the office were frosted at the Department's request to provide privacy in the Accounting Department. Lt. Mires confirmed that the claimant did move into another office down the hall to avoid the fumes.

Court decisions clearly indicate that the City does not have legal authority to pay gratuities to its employees. *Kane v Flint*, 342 Mich 74 (1955). The Courts have held, on the other hand, that there is no legal prohibition for a municipality to reimburse its employees for expenses incurred in fulfilling their bona fide duties as public employees. See *Ware v Battle Creek*, 201 Mich 468 (1918).

Based upon the above facts, it appears that the claimant exercised reasonable precautions to prevent damage to her soft contact lens from the fumes of the aerosol spray. In addition, the damage occurred while the employee was performing her duties in the Lansing Police Department.

Therefore, based upon the recommendation of the Lansing Police Department and the facts presented in this particular situation, it is the recommendation of this office that this claim be granted.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMAN BENAVIDES

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City treasurer in the amount of \$40.00 payable to Linda Eckelbecker.

Carried

January 10, 1985

President Charles Creamer and
Members of the Lansing City Council

RE: Claim of Gerald Fohlbrook in the amount of
\$868.00

Dear President Creamer and
Members of City Council:

On December 17, 1984, Gerald Fohlbrook filed this claim for damages to a 1975 Ford Maverick. Apparently, the claimant was driving a vehicle eastbound on Jolly, made a left turn onto Cedar Street and was struck by a City Fire Department truck on an emergency run causing damage to the vehicle. Claimant seeks compensation in the amount of \$868.98.

This matter has been referred to Auto Owners Insurance Company for coverage and a copy of this letter has been forwarded to Mr. Fohlbrook.

Therefore, no further action in this matter need be taken by City Council.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

Received and placed on file

January 4, 1985

TO: President Creamer and Members, Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application — World Wide Marriage Encounter

Attached is an application for a parade permit from the above-referenced organization, scheduled for Noon on Saturday, February 9, 1985, which has been approved by all the necessary departments.

Our personnel estimate this will cost the City a total of \$42.46, which represents two officers and two vehicles for one hour.

This is being sent to you for final action.

By COUNCILMAN BENAVIDES

That we concur in the recommendation of the Chief of Police and said parade permit be approved having received the signatures of all the required departments.

Carried

January 11, 1985

President Charles Creamer and
Members of the Lansing City Council

Dear Councilmembers:

In accordance with Section 7-107 of the Lansing City Charter, I am forwarding copies of the executive transfers that have been placed on file in the City Clerk's Office by the Budget Director.

Rita M. Bauman
City Clerk

Referred to the Committee on Ways and Means

January 10, 1985

Council President Charles Creamer and
Lansing City Council Members
Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear President Creamer and Councilmembers:

Following the comments made by Councilmember Patrick Lindemann at the January 7 meeting, a check was made into the condition of 816 Community. The attached memorandum prepared by Henry Hernandez, Housing Inspector, details the action taken in regards to the complaint.

On December 18, 1984, a trash notice was sent to the property owner of 816 Community for trash bags, paper sacks, scrap lumber, cans, tires, tree limbs, junk, trash, rubble, and debris in the rear and side yard. Said property was reinspected on January 7, 1985, and it was found that all the items listed in the original violation were removed.

On January 8, 1985, there was found to be two trash bags stacked into a trash can and a small pile of lumber. Neither trash bags in a can, nor the lumber, would

warrant the issuance of a trash violation notice. A date of clean-up on the December 18, 1984 notice cannot be determined because the inspector would not ordinarily return until the date given for reinspection.

If further questions need answering, please forward them to me.

Sincerely,

TERRY J. McKANE,
Mayor.

Received and placed on file

January 8, 1985

City Council President Charles Creamer and
Lansing City Councilmembers
Lansing City Council
10th Floor, City Hall
Lansing, Michigan 48933

Dear President Creamer and Councilmembers:

I herewith submit to you for your consideration and confirmation the appointment of Harlow M. Claggett to the Elected Officers Compensation Commission. He will fill an unexpired term, ending October 1, 1985.

Mr. Claggett resides at 725 Sandlyn Drive. For the past nineteen years, he has been involved in detail work on salary and fringe benefit survey for the Lansing School District. Presently, he serves as Associate Superintendent for Employee Relations and Legal Services. He is also a member of the Lansing Elks Lodge and the Lansing Civic Players.

I trust you will give careful consideration to the appointment of Mr. Harlow M. Claggett to this important Board.

Sincerely,

TERRY J. McKANE,
Mayor.

By COUNCILMAN BLAIR

That we concur in the recommendation of the Mayor and appoint Harlow M. Claggett to the Elected Officers Compensation Commission.

Carried

January 10, 1985

Council President Charles Creamer and
Lansing City Councilmembers
Lansing City Council
10th Floor, City Hall
Lansing, Michigan 48933

Dear President Creamer and Councilmembers:

The Elected Officers Compensation Commission should convene in the near future to look at comparison data and make recommendations to this Council regarding salary for the following:

1. Mayor
2. City Clerk
3. City Councilmembers

According to City Code, Sec. 2-95, "The commission shall meet for not more than fifteen (15) session days in each odd-numbered year and shall make its determination within forty-five (45) calendar days after its first meeting. The City Council shall designate by resolution the date, time, and location for the first meeting, thereby officially calling the commission together for the carrying out of its official duties. Commencing in 1981, the commission shall meet prior to March 1. The city clerk shall notify the members of the commission in writing concerning the designated date, time, and location at least seven (7) calendar days

in advance..." I would recommend that this Board convene by February 15, 1985 and send this Council its recommendation by April 1, 1985.

Sincerely,

TERRY J. McKANE,
Mayor.

By COUNCILMAN BLAIR—

That we concur in the recommendation of the Mayor and this board convene by February 15, 1985 and send recommendations to Council by April 1, 1985.

Carried

DATE: 1-9-85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from City Controller

RE: Trapper's Cove #1, Release of security

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the Mayor and the financial security be released in the amount of \$4,300.00 for Trapper's Cove #1.

Carried

DATE: 1-7-85

TO: Council President Charles Creamer and
City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Building Safety Division

RE: Request for Public Hearing - 1131 West
Kalamazoo

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMAN WORTHINGTON—

That we concur in the recommendation of the Mayor and this Public Hearing be set for January 28, 1985.

Carried

DATE: 1-9-85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Building Safety Division

RE: Trash Removal Assessment - U-28 July 85 Tax
Roll \$2115.05.

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMAN BENAVIDES

That we concur in the recommendation of the Mayor and this Trash Removal Assessment in the amount of \$2115.05 be placed on the July 85 Tax Roll.

Carried

DATE: 1-10-85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Department

RE: Applications to Establish Commercial Redevelopment Districts/Recommendations

CRD-14-84, 2229 West Holmes Rd.

CRD-15-84, 521-527 North Capitol Ave.

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Economic Development

DATE: 1-10-85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Adult Crossing Guard Request: Greenlawn and Maplewood

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMAN LINDEMANN—

I move that an Adult Crossing Guard be placed at this intersection of Greenlawn and Maplewood.

Adopted by the following vote:

Yeas: Adado, Belen, Benavides, Blair, Lindemann, Schmidt—6.

Nays: Creamer, Worthington—2.

DATE: 1-10-85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: LaSalle Blvd: Parking Request

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety

DATE: 1-10-85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Tenny St: Parking Request

The following correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor

Referred to the Committee on Public Properties and Safety

DATE: 1-4-85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Finance Director

RE: Transfers

The following correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor

Referred to the Committee on Ways and Means

RESOLUTIONS

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

RESOLUTION OF SPECIAL MEMORIAL TRIBUTE TO MARTIN LUTHER KING JR.

Whereas, each of us is possessed of certain power over our fellow human beings, and

Whereas the use of that power, however limited or far reaching it may be, is the cornerstone of human achievement, and

Whereas, in Dr. King's words, "Power, properly understood, is the ability to achieve purpose," and

Whereas, in these times of mixed purpose, fear, mistrust and human insecurity, those persons possessing vision and clarity of purpose, which Dr. King demonstrated so well, must direct their power along the paths of compassion and concern for all people, particularly those in need, and

Whereas, our power, if based in a sense of brotherhood and a dedication to the common good is certain to endure,

Now Therefore Be It Resolved, the City Council of the City of Lansing hereby officially salutes the life and achievements of Dr. Martin Luther King Jr. on the occasion of his 56th birthday, and

Be It Further Resolved, this Council urges each of the citizens of Lansing to use his or her individual power to further those humanitarian purposes toward which Dr. Martin Luther King Jr. directed his personal power and life's energy.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Whereas Mr. Donald Chenoweth will be leaving Lansing to assume new responsibilities at the General Motors Plant in Doreville, Georgia, and

Whereas, his education has its roots in this community

as he graduated from Eastern High School and attended Michigan State University and completed coursework at Harvard Business School, and

Whereas, starting on the assembly line in 1954, Don Chenoweth's increasingly responsible assignments with Fisher Body have reflected his ability and great value to the corporation, and

Whereas, after being named General Manager of the Fisher Body Plant in Flint in 1976 and Pontiac in 1979 he returned to Lansing in 1981 as General Manager of the plant where his career began, and

Whereas his service to this community has been significant serving on several boards including Capitol Area United Way, United Way of Michigan, the YMCA, and the Political Action Committee of the Lansing Regional Chamber of Commerce,

Now Therefore Be It Resolved, the City Council of the City of Lansing hereby officially extends its sincere appreciation to Donald Chenoweth for his contribution to this community and on behalf of all the citizens of Lansing we wish Don and his family all the best in Georgia.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing

Whereas, General Motors Corporation has announced the addition of a new automobile nameplate to its family of fine automobiles, and

Whereas, "Saturn" will be the first new nameplate since Chevrolet became a part of the G.M. family in 1918, and

Whereas, Saturn Corporation will be a wholly owned subsidiary of General Motors Corporation operating under an entirely new structure distinct from traditional automotive operations, and

Whereas Joseph J. Sanchez has been appointed to the Presidency of Saturn Corporation, retaining his Corporate Vice-President status but leaving us here in Lansing as General Manager of Oldsmobile Division, and

Whereas, his relatively short tenure here has been marked with significant community involvement and a real concern for the people and enterprises unique to Lansing, and

Whereas, we will miss Joe Sanchez and the positive aura he maintains,

Now Therefore Be It Resolved, the City Council of the City of Lansing hereby extends hearty congratulations to Joe Sanchez on his appointment as President of Saturn Corporation, and

Be It Further Resolved, on behalf of the citizens of Lansing, we wish Joe Sanchez and Saturn Corporation every success.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

That the request from Arthur H. Petsikas for transfer of a 1981 Class C License, located in escrow at 600 Frandor Avenue, from Lloyd H. Kempf, Int. Trustee for American Way Food Service Corporation, is hereby approved.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the City Administration has drafted a complete revision of City Personnel Rules for all employees who are not part of a recognized bargaining unit, and

Whereas, the Committee on General Services has reviewed and approved such rules after making several language and rule changes as the Committee felt appropriate, and

Whereas, the attached sets of rules for the various groups of exempt employees are current and uniform both in detail and overall philosophy,

Now Therefore Be It Resolved, the Lansing City Council, sitting in regular session this seventh day of January, 1985, does hereby approve the attached City of Lansing Personnel Rules for the following groups of employees:

- Non-bargaining Unit Employees
- Executive (Management) Plan Employees
- Elected Officials
- Mayoral Staff
- Council Staff

Be It Further Resolved, all personnel rules for exempt employees previously-adopted are hereby superseded, and

Be It Finally Resolved, the Mayor's recommended package of fringe benefits for employees is hereby approved.

Much discussion was held on the resolution and questions asked.

By COUNCILMAN ADADO—

That the rules for the following groups of employees be divided and each voted on separately.

Carried

The following vote was taken on the rules governing the Non-Bargaining Employees (yellow copy):

Unanimously.

The following vote was taken on the rules governing the Mayoral Staff (blue copy):

Unanimously.

The following vote was taken on the rules governing the Elected Officials (grey copy):

Unanimously.

The following vote was taken on the rules governing the Council Staff (green copy):

Adopted by the following vote:

Yeas: Adado, Blair, Creamer, Lindemann, Worthington—5.

Nays: Belen, Benavides, Schmidt—3.

By COUNCILMEMBERS BELEN, BENAVIDES, AND SCHMIDT—

Amendments for Resolution 3a and Personnel Rules

A. That the resolution be amended by correcting the date in the first "Resolved" clause to the 14th day of January, 1985.

B. That the attached personnel rules for Executive (Management) Plan employees be amended by changing item "F" — Employment Contract under "Terms of Employment" (page 8) to read as follows:

The Mayor shall develop and implement an employ-

ment contract for all members of the Executive (Management) Plan FOR THOSE POSITIONS WHERE VACANCIES EXIST OR SUBSEQUENTLY OCCUR, subject to the City Charter, Ordinances, policies and these Personnel Rules.

C. That the attached personnel rules for Council Staff employees be amended by changing item "H" —Employment Contract under Article 5 - "Terms of Employment" (page 10) to read as follows:

The Council in conjunction with the appropriate appointing authority shall develop and implement an employment contract for all members of the Council staff, FOR THOSE POSITIONS WHERE VACANCIES EXIST OR SUBSEQUENTLY OCCUR, subject to the City Charter, Ordinances, policies and these Personnel Rules.

By COUNCILMAN BENAVIDES—

That the following vote be taken on the above paragraph A changing the date from January 7, 1985 to January 14, 1985.

Adopted by the following vote:

Unanimously.

The following vote was taken on paragraphs "B" and "C" on the amendment by Councilman Belen, Benauides, and Schmidt.

Lost by the following vote:

Yeas: Adado, Belen, Benauides, Schmidt—4

Nays: Blair, Creamer, Lindemann, Worthington—4.

The following vote was taken on the rules governing the Executive (Management) Plan Employees—(salmon colored copy).

Adopted by the following vote:

Yeas: Adado, Blair, Creamer, Lindemann, Worthington—5.

Nays: Belen, Benauides, Schmidt—3.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing recognizes an investment in each City worker, and

Whereas, in general, the best way to protect that investment is to secure employment consistent with each worker's skills and abilities,

Now Therefore Be It Resolved, that the City will strive to assure employment maintenance for City employees who become handicappers, or otherwise acquire handicapper status while employees of the City, and

Be It Further Resolved, that the City will make reasonable accommodations to better utilize the physical and mental abilities of City employees who become handicappers, or otherwise acquire handicapper status while employees of the City. It shall be the responsibility of the Personnel Department to coordinate and implement this policy. The Affirmative Action Officer and the human Relations Board shall monitor the implementation of the City of Lansing policy to assist employees who become handicappers, and

Be It Further Resolved, that in addition to the City of Lansing's policy to assist City employees who become handicappers or otherwise acquire handicapper status while employees of the City by making reasonable accommodations and in addition to the City's policy of Affirmative Action, the City of Lansing expresses its intent to comply with the requirements set forth in the

Rehabilitation Act of 1973, 29 USC 701 et seq, as amended.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$2,000.00 from Labor Relations Salaries	A/C 101-227-000-702
\$2,000.00 to Labor Relations Temporary Help	A/C 101-227-000-707
\$110.00 from Estimated Revenue \$110 to Parks and Recreation—Citizen Contributions	A/C 101-000-000-160
	A/C 101-692-000-956
\$2,500.00 from Planning and Municipal Development Building Safety Div.—Salaries and Long.	A/C 101-860-380-702
\$2,500.00 to Planning and Municipal Development Building Safety Div.—Professional Ser.	A/C 101-860-380-801
\$80.00 from Estimated Revenues \$80.00 to Citizen Contributions	A/C 101-000-000-160
	A/C 101-915-000-956
\$4,000.00 from Comp Payroll—Hourly	A/C 765-958-000-959.04
\$4,000.00 from Medical Hourly \$8000.00 to Insurance	A/C 765-958-000-823.04
	A/C 765-958-000-910

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director

Adopted by the following vote:

Unanimously.

By COUNCILMEMBERS BENAVIDES, SCHMIDT, AND BLAIR—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried

Memo received from the Board of Water and Light regarding Audit Comments and Recommendations for fiscal year 1984 Audit.

Referred to the Committee on Ways and Means

By COUNCILMEMBERS BLAIR, BENAVIDES, AND LINDEMANN—

Resolved by the City Council of the City of Lansing:

Whereas, on January 9, 1985, the Lansing Community College men's basketball team defeated Lake Michigan College, marking the 200th collegiate victory of Coach Art Frank's career, and

Whereas, Coach Frank was a member of the 1959 and 1960 State Championship basketball teams at Lansing Sexton High School, and

Whereas Coach Frank played college basketball at Central Michigan University during 1961-64, then moved on to Mason High School as Varsity Basketball Coach from 1965 to 1971, and

Whereas Coach Frank began his remarkable career at Lansing Community College with the 1971-72 season, taking his teams to Conference Championships in

1975, 1982, and 1983, and winning the State Championship in 1982, and

Whereas his fellow coaches refer to Art Frank as the Dean of Coaches in the Western Conference,

Therefore Be It Resolved, the Lansing City Council hereby pays special tribute to Lansing Community College Basketball Coach Art Frank for the leadership and skills that have compiled a current career record of 201 wins and 168 losses, with more wins yet to come this season.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BLAIR—

Resolved by the City Council of the City of Lansing:

Whereas, Public Act 367 of the State of Michigan permits the establishment of investment pools by financial institutions and permits local units of government to invest surplus funds in investment pools, and

Whereas, it is in the best interest of the City of Lansing to participate in available investment media consistent with sound business practices and investment strategies of the City,

Now Therefore Be It Resolved, that the Mayor of the City of Lansing is hereby authorized to enter into agreements consistent with the "surplus funds investment pool act" with any of the following financial institutions:

Michigan National Bank
National Bank of Detroit (Bank of Commerce)
Manufacturers National Bank (Bank of Lansing)
First of America

Adopted by the following vote:

Unanimously.

The following members were assigned to the standing council committees by President Charles Creamer for the year 1985.

1985 COMMITTEE ASSIGNMENTS

Ways and Means—Blair, Lindemann, Benavides.

Physical Development—Belen, Benavides, Creamer.

Economic Development—Adado, Belen, Worthington.

Public Properties and Safety—Lindemann, Blair, Adado.

Intergovernmental Relations—Schmidt, Benavides, Creamer.

General Services—Worthington, Schmidt, Creamer.

REMARKS BY THE MAYOR

Report on the Willard Street Dyke System.

REMARKS BY THE CITY COUNCIL

Councilmember Belen made an appeal for the Energy Bank for blankets, clothing, and boots.

Councilmember Schmidt spoke regarding the Willard Street Dyke and read a letter from City Engineer regarding the Lansing General Hospital Access Road.

By COUNCILMAN CREAMER

That this meeting stand adjourned.

Carried.

Council adjourned at 8:30 P.M.

RITA BAUMAN,
City Clerk

January 14, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

16

Proceedings, January 21, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

January 14, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Worthington.

Pledge of allegiance.

By COUNCILMAN SCHMIDT—

That the council proceedings of December 17, 1984 be approved.

Carried.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Gary Andrews, 560 Brookland Blvd., spoke regarding communication #6.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

SIGN ERECTOR — Hardy & Sons

PUBLIC DRIVER — William E. Downer

BEER AND WINE CARRY-OUT — Approval of locations for Supermarts Inc. at 1201 N. Cedar St., 601 W. Saginaw, 1600 S. Washington, and 1923 E. Michigan Avenue.

Referred to the Committee on General Services.

Petroff Realty Company submits application for establishment of a Commercial Redevelopment District for property located at 121-123-125 and 127 W. Washtenaw Street.

Referred to the Mayor and Committee on Economic Development.

Application filed for Industrial Facilities Exemption Certificate by Motor Wheel Corporation, 4000 Collins Road.

Referred to the Mayor and Committee on Economic Development

Letter from Wellman Press, Inc. advising the city of their interest in expanding their business.

Referred to the Mayor

Letter from Jeff Handley, 1539 Linval St., requesting help in finding a building for recreation.

Referred to the Mayor

Letter requesting consideration to be included in the "Mini-Grant" distribution of Equity Funds of the Arts Council of Greater Lansing by Gary Andrews for the Popular Arts Workshop.

Referred to the Mayor and Council Staff Member Ron Onufer for follow-up

Letter from the Ingham County Board of Social Services concerned increased CATA services needed to service the new Ingham County Human Services Facility.

Referred to the Mayor and Human Services Committee

Michigan Municipal League submits information for the National League of Cities Congressional-City Conference in Washington, D.C. on March 23-26, 1985.

Received and placed on file.

**HOWARD McCAFFERY,
DIRECTOR OF PUBLIC SERVICE,
REPRESENTING THE MAYOR,
COMMENTS ON ANY ITEM ON THE AGENDA:**

No comments at this time.

REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES

Approves the following Licenses and Bonds:

Sign Erector—Hardy & Sons

Public Driver—William E. Downer

Beer and Wine Carry-out—Approval of locations for Supermarts, Inc. at 1201 N. Cedar St., 601 W. Saginaw, 1600 S. Washington, and 1923 E. Michigan Avenue.

Convenience Store at 2020 E. Michigan Avenue.

Signed:

**SIDNEY WORTHINGTON
ALFREDA SCHMIDT
CHARLES CREAMER**

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT—

To whom was referred the Ordinance for rezoning —Z-23-84 — 1617 E. Jolly Road to be rezoned from "A" Residential District to "H" Light Industrial District —(to correct legal Description of the previously passed Ordinance No. 2141.)

Reports as follows: That said rezoning be approved.

Signed,
Lucile Belen
Tony Benavides
Charles Creamer

By COUNCILMAN BELEN

That the report of this Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

January 16, 1985

President Charles Creamer
and Members of City Council

RE: I.C.E. Investors, Arbor Arms Apartments v City of Lansing, Michigan Tax Tribunal Docket No. 68384

Dear President Creamer
and Members of City Council:

On June 11, 1982, an attorney on behalf of the Petitioner, I.C.E. Investors, otherwise known as Arbor Arms Apartments, filed a petition with the Michigan Tax Tribunal alleging that the property tax assessment placed upon the subject property located at 3325 Bardaville Street was more than 50% of its true cash value and therefore was an illegal assessment. The Assessor had placed an assessment upon the subject property of \$374,100 for 1982. The Petitioner alleged that the assessment on the subject property should be no greater than \$271,542 for 1982. Subsequently, the Petitioner amended its petition to include 1983 and 1984 assessments.

Pursuant to the Michigan Tax Tribunal Rules, a counsel conference was held in the City Assessor's Office with the Petitioner and its attorney. Information and numerous documents were exchanged between the parties. Subsequently, a prehearing conference in front of the Michigan Tax Tribunal took place. At the prehearing conference, further information was exchanged between the City and the Petitioner and a tentative settlement was reached.

The tentative settlement proposes that the assessment on the subject property be reduced to \$344,200 for 1982 and 1983. In addition, the tentative settlement proposes that the assessment be reduced to \$355,400 for 1984. This tentative settlement is based upon the high vacancy rates for the years in question and the substantial amount of deferred maintenance which exists on the subject property.

Based upon the factors identified above, the recommendation of the City Assessor, the de minimis amount which this tentative settlement entails, and the uncertainty of outcome if this matter is litigated, it is the recommendation of this office that the tentative settlement as set forth above be approved by City Council.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and the tentative settlement as set forth above be approved.

Carried.

January 16, 1985

President Charles Creamer
and Members of City Council

RE: Hanna, Zabriskie, & Daron, Inc. v Watertite Concrete Systems, Inc. v American Fidelity Fire Insurance Company v City of Lansing; Ingham County Circuit Court Docket No. 81-28194-CK

Dear President Creamer
and Members of City Council

The City of Lansing entered into a contract with Watertite Concrete Systems on June 25, 1980, in the amount of \$354,840 for renovation work on three city-owned parking garages located in downtown Lansing. Watertite commenced work on the three garages pursuant to the terms of the contract some time in July, 1980. Specifically, the contract required Watertite Concrete Systems to provide all materials, labor, and equipment required for the renovation of the North Capitol Garage, South Capitol Garage, and the South Grand Garage. Among the work items included in the contract which Watertite Concrete Systems, Inc. was to perform was the repair of spalled concrete on the ceiling, beams, columns, walls, and floors of the three parking garages. Apparently, on July 31, 1980, a contract was entered into by Watertite Concrete Systems and a subcontractor, Hanna, Zabriskie, & Daron, Inc. The contract contemplated that Hanna, Zabriskie, & Daron was to perform the aforementioned items concerning repair of spalled concrete which was contained in the contract between the City of Lansing and Watertite Concrete Systems, Inc.

Pursuant to the written contract between the City and Watertite, the City was to pay Watertite the sum of \$20.00 per square foot when it came to the work items involving the repair of spalled concrete. Apparently, Watertite and Hanna, Zabriskie & Daron agreed, without the City's knowledge, to perform work items involving the repair of spalled concrete at the rate of \$18.40 per square foot up to approximately 500 square feet. After Hanna, Zabriskie & Daron had repaired the 500 square feet of spalled concrete, the contract provided that Hanna, Zabriskie & Daron was to bill Watertite on a time and material basis.

Based upon the bill submitted to the City by Watertite for work performed by Hanna, Zabriskie & Daron at the rate of \$20.00 per square foot, the City owes Watertite the sum of \$19,280.80. Apparently, the bill Hanna, Zabriskie & Daron sent to Watertite for work performed for Watertite on the three city parking garages on the terms set forth in the contract between Hanna, Zabriskie & Daron and Watertite totalled \$95,022.01. The City has attempted to pay the \$19,280.80 to Watertite for work performed by Hanna, Zabriskie & Daron since January, 1981, but Watertite has refused to accept the City's check because Hanna, Zabriskie & Daron will not release them until the full \$95,022.01 has been paid.

Subsequently, in September, 1981 Hanna, Zabriskie & Daron filed suit against Watertite in Ingham County Circuit Court in an attempt to collect the \$95,022.01. Watertite in turn filed a cross-complaint against the City of Lansing claiming that any monies which Watertite was obligated to pay Hanna, Zabriskie & Daron in excess of \$19,280.80 should be paid by the

City because of the alleged defective contract specifications and the benefit the City received from Hanna, Zabriskie & Daron's work on the City garages. Hanna, Zabriskie & Daron amended its complaint and asked for damages in excess of \$135,000.

Numerous depositions were held by the City, Watertite, and Hanna, Zabriskie & Daron and subsequently, pursuant to Judge Brown's Order, this matter was referred to mediation. The mediation hearing took place on Tuesday, January 8, 1985 and the recommendation of the mediation panel was that the City was obligated to pay Watertite Systems, Inc. for work performed by Hanna, Zabriskie & Daron no more than the sum of \$25,000. The sum of \$25,000 would include all interest, court costs, and attorney fees.

Pursuant to GCR 316, each party must file a written acceptance or rejection of the panel's evaluation with the Mediation Clerk within twenty days after the mailing of the panel's evaluation. Therefore, this office is requesting authorization to accept the Mediation Panel's evaluation if this office determines it to be in the City's best interest.

Respectfully submitted,

Stephen Sawyer
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and grant authorization to accept the Mediation Panel's evaluation if it is determined to be no more than \$25,000.

Carried

DATE: 1-15-85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Budget Dir., Parks Dir., Purchasing Dir., Public Service Dir., and Deputy Personnel Dir.

RE: Ice Storm — Tree Clean-up

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor

Referred to the Committee on Ways and Means

DATE: 1-11-85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Public Service Director.

RE: Pumping Station (Boettcher Court Area)

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor

Received and placed on file

DATE: 1-15-85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Public Service Director

RE: Willard Street Dike

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor

Received and placed on file

DATE: 1-14-85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Building Safety Division

RE: Trash Removal Assessment — U-28 July 85 Tax Roll \$1,591.21

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the Mayor and this trash removal assessment be placed on the July 85 Tax roll.

Carried

DATE: 1-11-85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Dept. of Housing and Urban Development

RE: Urban Development Action Grant Program Eligibility Determination

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor

Received and placed on file

January 14, 1985

City Council President Charles Creamer
and Lansing City Councilmembers
Lansing City Council

Dear President Creamer
and City Councilmembers:

I herewith submit to you for your consideration and confirmation the appointment of Versel Case, Jr. to the Senior Citizens Advisory Board. He will fill an unexpired term ending in June 1985.

Mr. Case resides at 2815 LaSalle Gardens and has been a Lansing resident for thirty five years. He is retired from the State of Michigan Department of Management and Budget and from the National Guard as Colonel. He is an active member of many organizations and is currently the President of the Retired Officers' Association Michigan National Guard.

I trust you will give careful consideration to the appointment of Mr. Versel Case, Jr. to this important Board.

Best personal regards,

Sincerely,

TERRY J. McKANE,
Mayor

Referred to the Committee on Intergovernmental
Relations and Human Services

January 16, 1985

City Council President Charles Creamer
and Lansing City Councilmembers

Dear President Creamer
and City Councilmembers:

I herewith submit to you for your consideration and
confirmation the appointment of Mr. Lee A. Canady to
fill an unexpired term on the Human Relations Board.
The term will end in June 1986.

Mr. Canady resides at 2701 W. Mt. Hope and is
employed as a national account manager for the Xerox
Company. He is active in the community and is a
member of several organizations including the NAACP.

I trust you will give careful consideration to the
appointment of Mr. Lee A. Canady to this important
Board.

Best personal regards,

Sincerely,

TERRY J. McKANE,
Mayor

Referred to the Committee on Intergovernmental
Relations and Human Services

January 16, 1985

City Council President Charles Creamer
and Lansing City Councilmembers

Dear President Creamer
and City Councilmembers:

I herewith submit to you for your consideration and
confirmation the appointment of John F. Powers to the
Elected Officers Compensation Commission. The term
will expire October 1, 1990.

Mr. Powers resides at 1500 W. Washtenaw and has
been a Lansing resident for 27 years. He is retired from
Oldsmobile Division, General Motors Corporation,
and is an active member of the community.

I trust you will give careful consideration to the
appointment of Mr. John F. Powers to this important
Commission.

Best personal regards,

Sincerely,

TERRY J. McKANE,
Mayor

By COUNCILMAN BLAIR—

That we concur in the recommendation of the Mayor
and appoint John F. Powers to the Elected Officers
Compensation Commission.

Carried

DATE: 1-16-85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence

from the Purchasing Director

RE: Savings by Purchasing Buyer in December, 1984

The attached correspondence is submitted for your
information.

TERRY J. McKANE,
Mayor

Referred to the Committee on Ways and Means

DATE: 1-17-85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Budget Director

RE: Transfers

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor

Referred to the Committee on Ways and Means

RESOLUTIONS

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, Terrence A. Clem was born on a kitchen
table in a house on Trumbull Avenue in Detroit on
January 4, 1925, and

Whereas, after completing high school at St.
Benedict's in Highland Park, Terry Clem served in the
Central Pacific Theater with the U.S. Army Air Corps
from July 1943 through November 1945, and

Whereas, Terry Clem attended Syracuse University,
then received his bachelor's and law degrees from the
University of Detroit, and

Whereas, Terry Clem practiced law in the private
sector and as an assistant city attorney for the City of
Lansing during the years 1951-1968, when he was
appointed a Municipal Judge in Lansing, and

Whereas, Terry Clem was the first elected judge for
Lansing's District Court in 1970, and since that time he
has never been opposed during any of his bids for
re-election, demonstrating the very high esteem in
which Terry has been held consistently by Lansing
voters, and

Whereas, Terry Clem has devoted many hours of
volunteer service over the years to St. Casimir's Parish
and Boy Scout groups,

Now Therefore Be It Resolved, the Lansing City
Council hereby offers its highest tribute, warmest
affection, and best wishes for the future to JUDGE
TERRY CLEM on the occasion of his retirement from
public service in the 54-A District Court of Lansing.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Whereas, it is necessary to hold a public hearing on
the proposed establishment of a Lansing Industrial
Plant Rehabilitation District, IPR-1-85, proposed by
Nehi Beverages, Inc. for 1508 North Grand River and
more particularly described as:

That part of Frank L. Dodge Subdivision of parts of

Lots 1 and 4 of Townsends Subdivision of parts of Sections 4, 5, 8, and 9, T4N, R2W, City of Lansing, Ingham County, Michigan,

Now Therefore Be It Resolved, that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District, and

Be It Further Resolved, that such hearing be held at the Council Chambers in the City Hall on the 4th day of February, 1985, at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation in said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Industrial Development District IPR-1-84, at 200 North Cedar Street, and

Whereas, Wellman Press, Inc. has applied for an Industrial Facilities Exemption Certificate for rehabilitation of the facility at 200 North Cedar Street, and

Whereas, it is necessary to hold a public hearing prior to this Council's taking action on Wellman Press, Inc.'s application for an Industrial Facilities Exemption Certificate,

Now Therefore Be It Resolved, that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate, and

Be It Further Resolved, that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Industrial Development District IPR-1-84, and

Be It Finally Resolved, that such hearing shall be held at the Council Chambers on the tenth (10th) floor of the Lansing City Hall on Monday, February 4, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Industrial Development District IPR-6-83, at 4000 Collins Road, and

Whereas, Motor Wheel Corp. has applied for an Industrial Facilities Exemption Certificate for equipping the new facility at 4000 Collins Road, and

Whereas, it is necessary to hold a public hearing prior to this Council's taking action on Motor Wheel Corp.'s application for an Industrial Facilities Exemption Certificate,

Now Therefore Be It Resolved, that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate, and

Be It Further Resolved, that the City Council notify the legislative body of each taxing unit which levies ad

valorem property taxes on the property located within said Lansing Industrial Development District IPR-6-83, and

Be It Finally Resolved, that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, February 4, 1985 at 7:00 p.m. and that notice of such hearing shall be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on December 10, 1984, this Council was petitioned to establish a Lansing Commercial Redevelopment District CRD-15-84, pursuant to Public Act 255 of 1978, and

Whereas, due notice has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 14th day of January, 1985, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is located at 521-527 North Capitol Ave., more particularly described as:

Lots 2 and 3 of Block 70, Original Plat, City of Lansing, Ingham County Michigan, and

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for commercial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity,

Now Therefore Be It Resolved, that the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-15-84 on the above described property.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Industrial Development District IPR-1-82 in the City of Lansing, pursuant to Public Act 198 of 1974, as amended, at 1818 Bassett Road, and

Whereas, Martin Electric, Inc. has submitted an application for an Industrial Facilities Exemption Certificate for construction of an addition to the existing facility within said Industrial Development District IPR-1-82, and

Whereas, a hearing was held on the Martin Electric, Inc.'s application for an Exemption Certificate on December 17, 1984 at which time all interested persons had an opportunity to be heard, and

Whereas, Martin Electric, Inc. has met the requirements for said Exemption Certificate as required by Public Act 198 and by the policies of this Council, and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the

City of Lansing (financial impact statement dated January 16, 1984 attached hereto),

Now Therefore Be It Resolved, that the Council of the City of Lansing approves the application from Martin Electric, Inc. for an Exemption Certificate in Lansing Industrial Development District IPR-1-82, to remain in effect for a period of nine (9) years.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBERS ADADO AND BENAVIDES—

Resolved by the City Council of the City of Lansing:

That the City Personnel Rules for Executive (Management) Plan employees be amended by revising "Section F — Employment Contract" under "Terms of Employment" to read as follows:

F. EMPLOYMENT CONTRACT

Effective January 22, 1985, any person hired for an Executive (Management) Plan position shall be required, as a condition of employment, to enter into an employment contract with the City of Lansing. Such contract shall contain appropriate terms of employment, subject to the City Charter, Ordinances, policies, and these Personnel Rules. Current employees in Executive (Management) Plan positions on the effective date of this section shall be encouraged, but not required, to enter into employment contracts with the City of Lansing.

Lost by the following vote:

Yeas: Adado, Belen, Benavides, Schmidt—4

Nays: Blair, Creamer, Lindemann, Worthington—4

By COUNCILMEMBERS ADADO AND BENAVIDES—

Resolved by the City Council of the City of Lansing:

That the City Personnel Rules for Council Staff employees be amended by revising Article 5, Section H—"Employment Contract" to read as follows:

H. EMPLOYMENT CONTRACT

Effective January 22, 1985, any person hired for a Council Staff position shall be required, as a condition of employment, to enter into an employment contract with the City of Lansing. Such contract shall contain appropriate terms of employment, subject to the City Charter, Ordinances, policies, and these Personnel Rules. Current employees in Council Staff positions on the effective date of this section shall be encouraged, but not required, to enter into employment contracts with the City of Lansing.

Lost by the following vote:

Yeas: Adado, Belen, Benavides, Schmidt—4

Nays: Blair, Creamer, Lindemann, Worthington—4

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

\$4,650.00 from City Special Expense—
General Adm. A/C 101-930-000-962
\$4,650.00 to Program Promotion—
Planning and Municipal Development A/C 101-860-000-880

I hereby certify that this is a properly drawn and eligible transfer.

James W. Dorsett,

Finance Director

APPROVED:

James Blair
Patrick Lindemann
Tony Benavides

Lost by the following vote:

Yeas: Councilmen Adado, Belen, Benavides, Schmidt—4.

Nays: Councilmen Blair, Creamer, Lindemann, Worthington—4.

INTRODUCTION OF ORDINANCES

The following ordinances of the City of Lansing, Michigan, providing that the code of ordinances be amended by: Revising the district maps adopted by Section 36-6 of the Code of ordinances and to change the zoning classification for the rezoning petitions for:

Z-28-84 — 5632/5700 S. Logan Street to be rezoned from "A-1" Residential District to "F" Commercial District.

Z-30-84 — 3012 N. East Street to be rezoned from "F" Commercial and "J" Parking Districts to "F" Commercial District.

Z-31-84 — 2423 S. Cedar St./515 Lincoln Ave. to be rezoned from "F" Commercial and "J" Parking Districts to "H" Light Industrial District.

was introduced by Councilman Belen, read a first and second time by their titles, and referred to the Committee on Physical Development.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, February 11, 1985 at 7:00 p.m. in the 10th Floor Chambers of City Council for the purpose of Opposing and/or Approving the rezoning petitions for:

Z-28-84 — 5632/5700 S. Logan Street to be rezoned from "A-1" Residential District to "F" Commercial District.

Z-30-84 — 3012 N. East Street to be rezoned from "F" Commercial and "J" Parking Districts to "F" Commercial District.

Z-31-84 — 2423 S. Cedar St./515 Lincoln Ave. to be rezoned from "F" Commercial and "J" Parking Districts to "H" Light Industrial District.

Approved by the following vote:

Unanimously.

By COUNCILMAN LINDEMANN—

I move that we proceed to the passage of ordinances.

Carried

ORDINANCES

By COUNCILMAN BELEN—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by: providing for the rezoning of properties located in the City of Lansing, Mich. and for the revision of the district maps adopted by Section 36-6 of the code for properties located at:

Z-23-84, 1617 East Jolly Road (to amend the legal description of the previously passed Ordinance No.

2141) to be rezoned from "A" Residential District to "H" Light Industrial District, and recommended that the ordinance be passed.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing:

That the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at—Z-23-84—1617 East Jolly Road (to amend the legal description of the previously passed Ordinance No. 2141) to be rezoned from "A" Residential District to "H" Light Industrial District, be placed on order of immediate passage.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at—Z-23-84—1617 E. Jolly Rd. (to amend the legal description of the previously passed Ordinance No. 2141) to be rezoned from "A" Residential District to "H" Light Industrial District be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2141-A

An Ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances, amending the legal description of the previously passed Ordinance No. 2141.

The City of Lansing ordains:

Section 1: That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classifications on the property described as follows:

Case Number: Z-23-84, 1617 East Jolly Road

Parcel Number: 3301-34-452-001-4

Legal Description: That part of the east $\frac{1}{2}$ of the west $\frac{1}{2}$ of the southeast $\frac{1}{4}$ of Section 34, T4N, R2W, City of Lansing, Ingham County, Michigan, beginning on the south line of said Section at a point east 1065.09 feet from the south $\frac{1}{4}$ corner; thereof said point also being on the easterly line of the Penn Central Railroad right-of-way 100 feet wide running thence on said ROW line north $24^{\circ} 19' 15''$ west to a point 552.75 feet north of the section line; thence east 330 feet thence south to a point on the section line 100 feet east of the point of beginning; thence west to point of beginning.

From "A" Residential District to "H" Light Industrial District.

Section 2: All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3: This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter from Harry R. Smith, 1132 S. Genesee Street, regarding the Lansing Housing Code.

Referred to the Committee on General Services

REMARKS BY HOWARD McCAFFERY, DIRECTOR OF PUBLIC SERVICE, REPRESENTING THE MAYOR

Spoke regarding the Parks Board meeting to be held on January 24, 1985 and the Public Service Board would meet January 30, 1985.

Public Service could not finish their Monday trash pick-up due to cold weather but would finish it Tuesday.

Sue Neller, Director of the R. E. Olds Museum spoke on events that are taking place at the Museum and introduced the president, Paul Enfield.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 7:45 P.M.

RITA BAUMAN,
City Clerk

January 21, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

23

Proceedings, January 28, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

January 28, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Lindemann.

Pledge of allegiance.

By COUNCILMAN SCHMIDT—

That the council proceedings of January 7, 1985 be approved.

Carried.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting Hank Reniger and George Cutler who presented life membership certificates in the North Lansing Railroad Museum to City Council Members.

Carried.

January 28, 1985

City Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

It is my task this evening to present you and to the people of Lansing, my fourth annual State of the City Message.

As you know, I am required by the Lansing City Charter to prepare and to present this message at the start of each year. But tonight's address represents more than a required task. I consider it a true honor and privilege to be able to appear before our mutual constituents—the people of Lansing—and to share with them our City's recent accomplishments and some visions for the future.

I would begin this evening by saying two things:

First, the people of Lansing and our City government are emerging from a period of serious economic difficulty. It is true that in recent years Lansing has consistently enjoyed one of the lowest unemployment rates of any city in Michigan, but that is of small comfort to the people who are in fact unemployed.

And, although the deep economic recession of the early 80's may be over, serious problems remain.

We still have too many Lansing residents who are unemployed or underemployed. Too many are still without adequate food, shelter, and clothing. Though I strike a note of optimism and accomplishment this evening, we should remain mindful of the sincere needs of many of our fellow citizens, and we should continue to strive mightily for the creation of additional jobs for our residents.

Second, I want to highlight a theme of previous messages—indeed a theme of my Mayoral administration: that of cooperation. We have made considerable progress over the past three years, and that progress has come about because of an improved spirit of cooperation in Lansing and mid-Michigan.

I am proud of the positive way that Councilmembers and I and others in City Hall have worked together in a spirit of cooperation not previously enjoyed for at least a decade. I am pledged to continue the effort, especially in this campaign year. It is critical that all incumbents seeking re-election or other elective positions keep the will and welfare of the people uppermost in their minds as they make their respective campaign tactical decisions.

I also am pleased that we have been able to forge other strong relationships—with Governor James J. Blanchard, Legislators, and state agencies; with Ingham County and other local governments; with Michigan State University, Lansing Community College, Cooley Law School, Davenport College, the Lansing School District, and other educational institutions; with religious and cultural groups; with business and labor representatives; and—most importantly—with neighborhood and community groups.

I believe strongly that continued progress in Lansing will come through continued cooperation and a perpetual open-door between City Hall and the people we are elected to serve.

1984 was the 125th birthday of our incorporation as a city. It is my purpose this evening to summarize some of the accomplishments of that anniversary year. I also will re-emphasize our shared priorities as we look to a stronger future for our City and people.

1984 STATE OF THE CITY

Our City Charter mandates that I include a discussion of the City's financial condition as a part of my message. Let me begin with that this evening.

Financial Condition of the City of Lansing

After three years of recession our area has begun to benefit from an improving economy. This primarily is due to a resurgence of the American auto industry. In Lansing the resurgence is reflected in the strong performance of our own Oldsmobile and Fisher Body operations and the Motor Wheel Corporation.

As a result, we are starting to see improvements in

our City income taxes. In this fiscal year we are anticipating \$600,000 more in income tax revenues than was projected. We also expect improvement in State sales and business taxes—which will mean improved State support for Lansing. It would appear that we shall receive \$800,000 more than anticipated from the State during this fiscal year. Our Finance Director advises me that indications are that economic growth will continue at least through 1985.

Budget restraint has been the order of business in City government over the past three years. As with any business budget or family budget, we have tightened our belts rather than simply raising taxes. This has resulted in a deferment of some capital improvement, maintenance, and operating expenditures. However, we also have made City Hall more efficient through an effort to control staff and other expenditures.

I remain committed to governmental consolidation and efficiencies wherever possible. However, I believe that the improving economy will enable us to address additional needs beginning in 1985. I am hopeful that during our upcoming budget process we will be able to further strengthen our emphasis on public safety, recreation, streets, and other important programs. It is also important that we strengthen the City's Reserve and Stabilization Fund—which has fallen to an undesirably low level. This year we budgeted \$500,000 in this fund. I want to see us budget at least \$1,000,000 in the upcoming budget.

In the past fiscal year, then, we had a combination of tight expenditure control and an improving economy. This resulted in a slight excess of revenues over expenditures, for the first time in several years.

Current revenues and expenditures appear to be within budget. I can, thus, estimate that our revenues will again equal or exceed expenditures—by a modest amount—in the current fiscal year.

I give you cause for cautious optimism regarding our financial condition. However, in the longer term we remain captive to national fiscal trends and policies. We must, therefore, consider the uncertainties relating to the federal deficit and to changes in the tax structure.

Unfortunately, after attending the U.S. Conference of Mayors' Legislative Session in Washington, D.C. recently, I have the distinct impression that many people within the Reagan Administration and within the Congress are preparing to place the burden of the Federal deficit on the backs of our cities. We could experience substantial cutbacks because of the sudden interest in fiscal responsibility.

Because of this uncertainty, it is clear that we need to continue to work together to strengthen and diversify our local economic base. In this way, we will insure Lansing's long-term financial stability.

Priorities for Lansing's City Government

Henry Clay stated in 1829 that "Government is a trust, and the officers of the government are trustees; and both are created for the benefit of the people." So it is that the people of Lansing have entrusted us to provide them with a variety of local services—at the lowest possible rate of taxation.

Over the past several years I have discussed Lansing and its government with a wide range of people and groups. I have been especially interested in hearing what people—Lansing people—have had to say about their government and how it should operate.

As the Mayor—that is, as our City's chief trustee of the people—I have been especially concerned that we set priorities that will meet the needs of Lansing residents.

Following is a discussion of our continuing priorities

as I interpret them. I will, of course, be pleased to hear comments regarding these from any City resident.

Priority: A Low Lansing Tax Rate

When it comes to taxes and spending, I have two firm beliefs: first, that government ought to be operated as efficiently and inexpensively as possible and, second, that it ought to operate on a "pay-as-you-go" basis rather than go into debt.

As a result, I have not recommended any general property or income tax rate increase since I took office in January, 1982.

One of the effects of our stable, low tax rate has been a reduction in the size of our City workforce. Through attrition we have reduced 122 employee positions and added thirteen for a net reduction of 109.

We also have made several re-organizations and other efficiencies in City Hall over the past three years. As examples, we have made improvements in the areas of planning and municipal development, personnel and labor relations, treasury, and income tax. I also have made changes in the Mayor's office in order to save money. Taken together, the changes we have made have enabled us to provide a high quality of essential services to Lansing residents. We have even been able to maintain a number of services that many other cities have dropped in recent years.

During 1985, I will not recommend a general property or income tax rate increase. I will continue to work to make our government more cost-effective.

Priority: Upgrading Lansing Neighborhoods

Nearly every service that the City provides is designed—in one way or another—to upgrade Lansing's neighborhoods. Effective police protection, fire protection, street and sewer maintenance, park improvements and the creation of new jobs all work together for the improvement of neighborhoods.

In recent years we have begun several things designed specifically for neighborhood improvement. As examples, we adopted a comprehensive zoning ordinance as a tool for protecting neighborhoods, and we established a new housing and code enforcement task force to better coordinate City agencies that are involved in inspection activities. The cross-training of inspectors is proceeding.

We have also revised our Community Development Block Grant Program's citizen participation plan in order to encourage broader and earlier participation by our residents. We have seen the Neighborhood Watch Program grow to 135 groups serving 13,000 households.

In terms of new initiatives, we established an Historic District Ordinance and Commission as a way of preserving and revitalizing our older neighborhoods through economic incentives. We also established a community energy management program to impact the rising heating costs in our neighborhoods.

Let us work together in 1985 to insure that these new initiatives are working properly for the improvement of our neighborhoods. We have no greater task before us.

Priority: Human Services

We should all be pleased that the Nation's economy has improved. I am especially pleased that Lansing's economic health is looking fairly strong.

However, there are many people in our community who have serious unmet needs. For example, needs for food assistance remain high. So, too, are needs for help with utility bills and emergency shelter in this cold winter.

I am proud of the compassionate ways that Lansing

people have responded to needs of our less fortunate citizens. Our people have selflessly offered their time, talents, and money. Many residents have displayed a true spirit of Judeo-Christian compassion and love.

As one example of our caring, I point to the success of the United Way Campaign among City Hall employees. During 1984 we made 110% of our goal \$30,677 compared to \$25,893 in 1983 and \$19,603 in 1982.

Within our own City Budget in the past three years, we have continued to strengthen our commitment to human service agencies at the very time when their other funding sources have been seriously depleted or completely removed. I am proud of the fact that we now provide a substantial percentage of several agencies' budgets. Without our expanded commitment, several of these agencies might have closed their doors.

Our human service needs remind me of something President Franklin D. Roosevelt said: "Better the occasional faults of a government that lives in a spirit of charity than the consistent omissions of a government frozen in the ice of its own indifference."

I know that Lansing people care about others. We have proven it. I will work with you to prove it throughout my term of office.

Priority: Recreation and Culture

Lansing people have long been leaders in cultural and recreational activities. In the past several years especially, we have seen new cultural and recreational activities in our downtown, along our Riverfront, and in our neighborhoods.

I am especially proud of the improvements voted on by the people of Lansing—that have been planned for Potter Park. During 1985, we will begin a six million dollar expansion and improvement of the park and zoo. This improvement was initiated by a Lansing citizens' group—The Friends of the Zoo Society. I congratulate them for their work.

In 1984, the Legislature began a program to support City cultural activities. One result: new state funding for several of Lansing's excellent cultural activities including Impression 5 Museum, BoarsHead Theater, Lansing Symphony Orchestra, R.E. Olds Museum, Lansing Art Gallery, Opera Company of Mid-Michigan, and the Arts Council Center. Thank you for approving my recommendations with very few changes.

We are fortunate in Lansing to have many other City-supported cultural and recreational activities. These include neighborhood arts and recreational activities for persons of all ages; an art festival; ethnic festivals; athletic events and tournaments; the Dodge Mansion for special events; the Haze-Cooley House for women's historical studies; a Riverfest; and many other activities.

We are continuing to expand our work in international relations for the purpose of cultural exchanges as well as mutual economic development benefits. I am referring to our sister city relationships with Otsu, Japan. A delegation from the Mayor and Council of Otsu visited us during our 125th birthday in May. A larger delegation stayed here for a week in August. It will be our turn for Lansing residents to visit Otsu this coming summer. Seventy-six L.C.C. students have spent months in Otsu working on the sternwheel steamer "Michigan" on Lake Biwa and gaining L.C.C. credits in classes on Japanese history, culture, and language. Many Japanese students are now beginning to come to the U.S. in order to study at L.C.C. Currently, I am working on the establishment of sister city relationships in three other countries.

Lansing's 125th Birthday. As I have already mentioned, 1984 was the 125th birthday of the incorpor-

ation of the City of Lansing. On May 26, we held a large, colorful parade that wound its way from the Oldsmobile parking lot through our downtown.

Priority: Jobs Creation and Economic Development

As I stated earlier, we are fortunate to be part of an economic revitalization. We must, however, continue to work together to diversify and modernize our mid-Michigan economy in order to realize long-term economic gains.

We already are making significant progress toward this goal.

As examples, a variety of expansion projects are underway in our downtown area and elsewhere in the City. These include the 100 Block office building and proposed hotel and exhibition hall, the Knapp's Center, the Atrium Project in the former Michigan Theater, the Poxson Building, the conversion of the Penney's store to the Cooley Law School Library, and the total renovation of the Davenport Building.

We can point with pride to such important projects as the new Motor Wheel headquarters and research facility, the Hannah Research Park, the Meijer's Distribution Center, the Michigan Bio-Technology Institute, and the Federal Super Flight Service Center at Capital City Airport. We have seen significant investment in Lansing and in our region by General Motors.

I thank many local business, civic, and labor leaders; the Chamber of Commerce; area legislators, County Commissioners, and other governmental leaders; university officials and other educators; and Councilmembers and department heads for pulling together to make these—and many other—job projects come to fruition. This affirms my belief that we can make the greatest progress by working cooperatively together as a region, public and private sectors working as a team.

Priority: Affirmative Action and Personnel Improvements

As you may recall, prior to the 1983 Fiscal Year, the City's affirmative action program was less than commendable. As a result of this record, I established a Citizens' Advisory Commission on Affirmative Action. I had already established Mayor's committees for Blacks, Hispanics, and Handicappers.

These groups and other individuals have worked closely with me. In addition, I hired a new Personnel Director in 1983, and I involved myself personally in City hiring practices.

As a result of these actions, we have made tremendous progress in affirmative action. For example, in the 1984 fiscal year, the City hired 34 new persons including 12 minorities. This means that in a period of one year we went from a 5% minority hiring to a 35% minority hiring record. We also hired the first two female firefighters in the history of the City.

More recently we have initiated work on a comprehensive affirmative action plan of a scope and quality never before attempted by our City government. I also am working with citizens' groups—including the new Coalition for Community Concerns—to improve City retention and promotion of minorities.

I am pleased with the City's recent affirmative action record. I know that we are making genuine progress in this area and are on the way to making Lansing a true equal opportunity employer.

Our Personnel and Training Department was involved in several other significant activities last year. For example, the Department developed a much needed set of comprehensive Personnel Rules for six employee groups. These provide consistent and equi-

table application of the rules and fringe benefits which govern the employment relationship between the City and its non-bargaining unit employees. This effort represents the first major revision to our Personnel Rules since the 1950's.

Priority: Public Safety and Essential Services

The written report that I submit to Council this evening includes a section titled "City Activities." As you read through these many activities you will be impressed at the quantity and quality of services we provide to Lansing citizens.

I will make a formal presentation of City activities at next week's Council meeting. These activities include police and fire protection; public services such as road and sewer maintenance, wastewater treatment, refuse pick-up, parking and snow removal; human services including food, shelter, and clothing provision; development and building safety services; parks, recreation, and cultural activities; housing opportunities; economic development assistance; emergency planning and assistance; and civic center operation.

Our staff also provides necessary support in the areas of finance and budget preparation; personnel and training; city planning; labor relations; purchasing; administrative services; law; human relations services; and clerk-elections assistance.

Several aspects of our services deserve special discussion this evening:

Public Safety. I am proud of our Police and Fire Departments. Both provide excellent service to the people of Lansing. I have the highest respect and regard for our police officers and firefighters who provide us with excellent protection twenty-four hours a day, seven days a week, in all kinds of weather, and in all kinds of dangerous and heart-rending situations. They serve with dedication and sacrifice. As has been reported, our incidence of serious crimes was reduced in 1984 by 8% in spite of a serious increase in homicides. At the same time, the number of calls received by the department increased by 8%.

In the past year we undertook a consultants' study of our Police Department—not to repudiate it or its officers, but in order to continually modernize and improve its operation.

The study's authors have made several recommendations to improve our Police Department. These include:

- that we better define the role of the Department in increasing the risk to criminals of being apprehended;
- that we better staff our patrol force during times when criminal activity is the highest; and
- that we improve our rank structure and promotion of supervisors.

I remain confident that we can work together to further improve our important police protection services.

Our Fire Department experienced 7,469 ambulance runs in 1984, which represents a ten percent increase over 1983. The department also answered 4,649 fire alarms, a thirteen percent increase.

Improving City Streets. One of my priorities as Mayor has been to improve Lansing streets and roads. We have made real progress in this area—in fact, we currently are spending \$4,416,432 on road construction, re-construction, and other improvements. Last year that figure was \$2.5 million.

During 1984, we completed a major street project when we opened the Lansing General Hospital access road. It appeared to be a dead issue when I became

Mayor. This new road has done much to alleviate neighborhood traffic problems near the hospital. We also completed some eighteen miles of road re-surfacing including portions of Pleasant Grove Road, Holmes Road, South Cedar Street, West St. Joseph, Mt. Hope, and Willow, just to name a few.

Altogether in the 1984 construction season, we had \$18 million worth of projects going on including sewer separations, street re-surfacing and repair, curb and gutter repair and replacement, and sidewalk replacement. These contracts provided 900 jobs for construction workers who might otherwise have been unemployed. Partly as a result of these improvements, street and sewer complaints have been reduced by over 20%.

Wastewater Treatment. One of our most important City tasks is to provide an efficient system of wastewater collection and treatment. We have a long history of excellence in this area and our Public Service Department is one of the nation's finest.

Environmental standards, advancing technologies, and new demands on our system mean that it must continually be upgraded. Thus in 1983, we initiated a \$120 million project to remodel our sewage treatment plant, renovate our pumping stations, and improve our sewage lines. This effort is being paid for through a combination of City, State, and Federal funds.

We made significant progress on this project during 1984. EPA grants worth some \$50 million were received, and design and construction work was begun.

Lansing is a leader!

Not only have we been maintaining our excellent tradition of essential city services, but we have been leading the pack in several areas.

- We are the first city in the State to put together a comprehensive pavement management system for our streets.
- We may be the only city in the State to satisfy fully the Section 504 requirements of the Revenue Sharing Act pertaining to handicappers. We prepared a very comprehensive document in order to meet the October 1 deadline, and other cities have since requested our assistance.
- We have been told by the State Civil Rights Commission that our Affirmative Action Program, when completed in 1985, will be a pilot program for all other Michigan cities.
- We are the first city in the nation to try to save utility costs within our city-owned buildings through a shared savings contract with a private company. The private sector has used the concept very successfully, but the public sector is just beginning to try it; in fact, the State of Michigan is using our project as a pilot for other cities.
- We are one of the first cities in the State to have 35,000 thermograms taken of our homes and businesses. Fifty-one public open houses will be held in 1985 by the City of the purpose of acquainting interested homeowners and businesspersons on ways in which they can reduce heating costs.
- We are the first Michigan city and only the tenth city in the nation to receive the Government Finance Officers Association's "Distinguished Budget Presentation" Award.

As I meet periodically with other mayors and city officials in my capacity as Vice President of the Michigan Municipal League, I am always relieved to know that our problems are not unique, nor are they nearly as serious as in most other cities. I am also proud

nearly as serious as in most other cities. I am also proud to find out time after time that we are much more innovative and creative than many other city governments in dealing with those problems.

We can be proud of our accomplishments in 1984 in spite of the pessimists and naysayers; however, this brief moment of pride and exhilaration should not cause us to become self-satisfied and lethargic but instead should be used as a springboard of optimism for new action and renewed dedication to those priorities which I have outlined in this message.

Conclusion

By way of conclusion this evening, I offer my thanks to many people—Councilmembers, City employees, and citizens—for a successful 1984. I am particularly thankful because I believe Lansing government has become more co-operative, more cost-effective, and more compassionate.

I have initiated these activities in keeping with my own philosophy of government. I appreciate the tremendous response by the community to my endeavors over the past three years.

I look forward to 1985. As we face its challenges together, as we listen to our mutual aspirations and concerns, and as we share our talents and opportunities, I am confident that we will continue to re-invigorate and strengthen our community.

Respectfully submitted,

TERRY J. McKANE,
Mayor

PUBLIC HEARING

January 28, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed make-safe or demolish property located at 1131 W. Kalamazoo Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed make-safe or demolition of property, they had the privilege of speaking at this time.

David Miller, 831 Tisdale, son of the owner of this property spoke.

Referred to the Committee on General Services.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Marilyn Courter, 6064 Southbrook, spoke regarding Attorney's letter 1g (claim for \$250.00 for replacement of banjo.)

PROCLAMATION

Whereas, Dyne Burrell, 17 years old Everett High School Senior, has had a remarkable career, and

Whereas, Dyne Burrell is the only athlete in the history of the school who has been awarded the interscholastic honor of All American in swimming, six times, and

Whereas, Dyne Burrell has been high school State champion five times and runner up one time. She holds fifteen individual records, which includes school, city, and championship meet records, and

Whereas, Dyne Burrell won the Women's National Senior long distance championship at Huntington, Indiana in the summer of 1984 and was selected by the National Women's Swimming Committee to represent the United States in the World's International Long Distance Championship, held in the Caribbean, and

Whereas, on December 1, 1984, Dyne Burrell won two State High School championships in the 50 yard free, and the 100 yard freestyle events. She is the only swimmer in Michigan history to dominate the distance swimming events and the sprint swimming events,

Now, Therefore, I, Terry J. McKane, Mayor of the City of Lansing, by the power vested in me, do hereby urge all citizens to join with me in congratulating this outstanding individual and her exceptional accomplishments and wish her continued success in all areas of her life.

Given under my hand and the Seal of the City of Lansing this second day of January in the year of Our Lord one thousand nine hundred and eighty-five.

TERRY J. McKANE,
Mayor

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been received for licenses:

SIGN ERECTOR—Earl Daup Signs
MECHANICAL AMUSEMENT DEVICE—
Stober's
BEER AND WINE CARRY-OUT—Locations:
4301 S. Pennsylvania and 3125 S. Logan St.
PUBLIC DRIVER LICENSE—Michael T. Wood

Referred to the Committee on General Services.

Claim filed by Bruce A. Behrmann, 218 Round Top Road, for a coat damaged when he fell on ice on top level of the North Capital Ave. Parking Ramp.

Referred to the Mayor and City Attorney.

Rezoning petition filed for Z-3-85—406 E. Holmes Road described as,

Property legally described as: Commencing at the North ¼ corner of Section 33, T4N, R2W, City of Lansing, Ingham County, Michigan; thence S88°44'02"E 719.53 feet along the North Section line; thence S01°15'58"W 33.00 feet to the point of beginning, said point being on the South right of way line of Holmes Road; thence S88°44'02"E 500.30 feet along said right of way line to a point on the West right of way line of Cedar Street; thence S01°07'00"W 797.43 feet along said West line to a point on the Easterly projection of the North line of Jessop's Home Gardens, as recorded in Liber 7 of Plats, Page 2, Ingham County Records; thence along said North line N88°25'41"W 306.39 feet to a point on the East line of Southmoreland, as recorded in Liber 8 of Plats, Page 10, Ingham County Records; thence along said East line the following two courses; N00°13'29"E 525.00 feet; thence N35°09'21"W 165.00 feet to the most Northerly corner of Lot 5 of said Southmoreland; thence along the line common to Lot 4 and Lot 3 N35°09'21"W 90.40 feet to the Northwesterly line of said Lot 3; thence N01°16'03"E 85.68 feet to the point of beginning; subject to any easement or any right of way of record, said parcel contains 6.430 acres of land, more or less, to be rezoned from "A" One-Family District to "F" Commercial District, filed by the North Point Plaza, Inc.

Referred to the Mayor and Planning Board.

Application for Commercial Facilities Exemption Certificate filed by Gentilozzi Real Estate and Management Co. for 521-527 N. Capitol Avenue.

Referred to the Mayor and Committee on Economic Development.

Letter from Edward Rose Realty, Inc., Kalamazoo, Michigan regarding Trappers Cove Subdivision.

Referred to the Mayor and Planning Board.

Letter from the Michigan Department of Treasury regarding Industrial Facilities Tax Exemption Certificate for Dana Corporation, Atlas Forge Plant.

Referred to the Mayor and Committee on Economic Development.

Greater Michigan Foundation submits letter regarding Michigan Week '85, May 18-25, and Michigan Mayors Exchange.

Referred to the Mayor.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA:

Mayor's letters 2b (Filling Vacant Position on Planning Board) and 2c (Ninth Annual Lansing Jaycee Oktoberfest - Letter of Appreciation.)

Councilman Adado left the meeting.

REPORT OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

Public Driver - Michael T. Wood
Mechanical Amusement Device - Stober's Cocktails
Beer and Wine Carry-out - Locations: 3125 S. Logan
and 4301 S. Pennsylvania
Sign Erector - Earl Daup Signs

Signed:

Sidney Worthington
Charles Creamer
Alfreda Schmidt

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

To whom was referred the Mayor's report on a request to install a traffic signal on Pennsylvania Avenue at Keystone and Louisa, reports as follows: The Transportation Division staff, Traffic Board, and Mayor all recommended that the request be denied. This location does not require a traffic signal based on evaluation of the MMUTCD traffic signal warrants. The request to install a traffic signal is denied.

Signed:

Pat Lindemann
Louis Adado
James Blair

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Yeas: Belen, Benavides, Blair, Creamer, Lindemann, Worthington—6.

Nays: Schmidt—1.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

To whom was referred the Mayor's report on a citizen request to remove parking on Foster Street south of Michigan Avenue, reports as follows: The Traffic Board and Mayor recommend that no changes be made and that the existing unrestricted parking remain. The Traffic Board considered the area businesses' needs for parking as more important than removing parking to improve traffic flow in the area. This location has an excellent past safety record with only one recent accident. The request to remove parking is denied.

Signed:

Pat Lindemann
Louis Adado
James Blair

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

January 24, 1985

President Charles Creamer
and Members of the City Council

RE: Claim of Helen Grostick in the amount of \$1544

Dear President Creamer
and Members of the City Council:

The above mentioned claim was received by the City Clerk on October 21, 1984 and subsequently forwarded to this office for review. The claimant, Helen Grostick, seeks replacement of a headstone at Evergreen Cemetery, which she claims was damaged as a result of negligence by operating heavy equipment near the grave site. Claimant alleges that the value of the headstone in 1982 was \$1544.

The City Parks Department investigated the claim and reported to this office as follows. There was a chip out of the back side of the stone at sufficient height that it would not have been caused by mowing equipment. There was a burial on an adjacent grave which resulted in damage to the turf, and could also have been the cause for the damage to the headstone. There is a considerable amount of maneuvering of large equipment involved in every burial operation. This includes both city owned and operated equipment and that of private contractors who are responsible for setting the vault and tent. Neither the city crews nor the contractor report having caused the damage. In addition, a city supervisor was on the site during the times when city crews were excavating and/or filling the grave and reports that standard precautions were taken by the city crews.

Generally, the operation of heavy equipment for grave site preparation is not a governmental function for which the city would be granted immunity for negligence. Therefore, if the city were negligent in its actions, the city would be held liable.

Based on the above stated facts, there is no evidence that City crews caused the damage to the headstone. Rather, it appears that any damage that occurred may well have been caused by other persons. Therefore, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

January 22, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Russell M. Clark and Judy L. Clark in the amount of \$1725.

Dear President Creamer
and Members of City Council:

On November 5, 1984, claimants Russell and Judy Clark filed this claim for compensation of damage to property stored in their basement and improvements (carpeting, etc.) as the result of a sewer backup into their basement.

Due to the amount of the claim, \$1725, this office has referred this claim to the City's insurance carrier. Therefore, no further action need be taken by the City Council.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

Received and placed on file.

January 21, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Sally J. Williams in the amount of \$40.79.

Dear President Creamer
and Members of City Council:

The above referenced claim was submitted to the City on September 24, 1984 by claimant Sally J. Williams. Ms. Williams alleges that on September 17, 1984 at the entrance to the Motor Wheel Corporation headquarters at 4000 Collins Road, her vehicle struck a pothole and the impact blew the tire of her vehicle out. She has incurred total damages in the amount of \$40.79 due to the incident.

A review of the records by the City Engineer reveals that a complaint was received by the Public Service Department on September 18, 1984 that a pothole existed on Collins Road. The pothole was repaired by 10:45 a.m. on September 18, 1984. However, the injury occurred on September 17, 1984. Prior to September 17, 1984, which is the date of the incident, no complaints had been reported to Public Service.

MCLA 691.1403; MSA 3.996(103) provides:

"No governmental agency is liable for injuries or damages caused by defective highways unless the governmental agency knew, or in the exercise of reasonable diligence, should have known, of the existence of the defect and had a reasonable time to repair the defect before the injury took place."

Based on the facts submitted, it appears that the City had no prior notice, actual or constructive, that a defect (pothole) existed in that portion of the roadway where the injury occurred. The City, having no prior notice, owes no legal duty to compensate claimant for her loss.

Based upon the aforementioned facts and the applicable law, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

January 21, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Julie Pulling in the amount of \$143.97.

Dear President Creamer
and Members of City Council:

The above claim was filed with the City on October 15, 1984. Claimant alleges that on October 10, 1984, her vehicle was damaged as a result of a parking lot gate arm striking her vehicle when she attempted to exit the parking lot.

A report received from the City Traffic Engineer reveals the following. On October 10, 1984, Ms. Pulling parked her vehicle in lot #27, Washington Mall. Ms. Pulling's vehicle was exiting with a group of other vehicles. While waiting to exit, she was engaged in conversation with the lot attendant. When the vehicle in front of her moved forward, she did the same. The lead vehicle exited and deactivated the gate arm loop causing the gate arm to return to a normal position for the next cycle. When the gate arm came down to claimant's vehicle was underneath the arm. Despite the attendant's warning to wait for the other vehicle to clear before entering the gate area, Ms. Pulling entered the area. It is clear that the incident did not occur because of the malfunction of the equipment.

Based on the above-stated facts, the cause of the accident was not a result of any negligence or omission on the part of the City or its employees and therefore it is the recommendation of this office that the claim be denied.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

January 21, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Betty Olney in the amount of \$2,000.

Dear President Creamer
and Member of City Council:

On October 15, 1984, claimant Betty Olney filed this claim for compensation for injuries received as a result of an alleged slip and fall on a City sidewalk.

Due to the nature of the injury and the amount of the claim, \$2,000, this office has referred the matter to the City's insurance carrier. Therefore, no further action need be taken by this Council.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be referred to the City's insurance carrier.

Carried.

January 22, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Herbert Hulteen in the amount of \$1074.70.

Dear President Creamer
and Members of City Council:

This claim, filed December 3, 1984, alleging damages in the amount of \$1074.70 to property stored in the basements and carpets at 2904 W. Jolly Road was referred to this office for investigation and recommendation.

The claimant alleges that on September 29, 1984, the sewer backed-up into their basement causing damage to several items stored in their basement. Receipts and estimates were included with their claim.

Information received by this office from the Public Service Department reveals that on September 29, 1984 a report of sewer back-up at 2904 W. Jolly Road was reported to that Department. City crews were dispatched and found a plugged main was the cause of the back-up. The City main was cleaned and the blockage removed.

Liability on this claim is predicated on whether the operation of a sewer system is a "governmental function" and if not, whether the City was negligent in the operation of its sewer system. MCLA 691.1407; MSA 3.996(107). Several recent court decisions have held that the operation and maintenance of a sewer system is a "governmental function." *Scott v. City of Detroit*, 107 Mich App 194 (1981); but see *Mitts v Village of Fowlerville*, 119 Mich App 76 (1984). Generally, sewer cases are predicated upon the size and complexity of the sewer system and therefore whether whether a private company or individual can operate such a system. Based upon the size and complexity of the City of Lansing's sewer system, it appears that the operation of Lansing's sewer system is a "governmental function" and therefore the City is statutorily immune from tort liability for negligence.

Therefore, based on the above stated facts and the applicable law, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

Stephen R. Sawyer,
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

January 25, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Marilyn Courter in the amount of \$250.00.

Dear President Creamer
and Members of City Council:

This claimant filed a claim originally for an unknown amount of property seized from Dicker & Deal pursuant to a criminal investigation. The property seized from

Dicker & Deal was a banjo which had been stolen from the claimant's home. The banjo was subsequently tagged as evidence in the Lansing Police Department Quartermaster's Office as evidence. Based upon information received by the Police Department, a warrant was issued for the person who had pawned the banjo and subsequently an arrest was made. While the matter was pending, the Lansing Police Department Quartermaster's Office sent an inquiry regarding disposition of the banjo to the investigating officer. The investigating officer conducted an investigation which entailed contacting the Ingham County Prosecutor's Office. The Ingham County Prosecutor's Office was unable to locate the file. The investigating officer assumed that the case had been closed and attempted to contact the claimant at the phone numbers given on the police report. Being unable to contact the claimant by phone the investigating officer then released the banjo to the person who last had possession of the banjo, being Dicker & Deal. Subsequently, the claimant made request for return of the banjo from the Quartermaster and it was learned that the banjo had been released to Dicker & Deal by the Lansing Police Department and sold by Dicker & Deal. Claimant has informed this office that the value of the banjo is \$250.00.

MCLA 691.1407; MSA 3.996(107) immunizes municipalities from tort liability when the municipality is engaged in the exercise or discharge of a governmental function. The term governmental function is limited to those activities mandated or authorized by law. It is clear that the function of the Police Department is tagging in and retaining custody of stolen merchandise to be used in the prosecution of a criminal trial constitutes a governmental function and would fall within the purview of governmental immunity.

Despite the City's possible claim of governmental immunity in this matter, the Lansing Police Department has conducted an investigation and has recommended to this office that the claim be paid to the extent the claimant is able to prove the value of the banjo. Therefore, this office requests authority to settle this claim in an amount equal to the value of the banjo, but in no event greater than \$200.00.

Respectfully submitted,

Stephen R. Sawyer,
City Attorney

Discussion held and questions asked.

By COUNCILMAN BLAIR—

That this claim be referred to the Committee on Ways and Means.

Adopted by the following vote:

Yeas: Belen, Benavides, Blair, Lindemann, Worthington—5.

Nays: Adado, Creamer, Schmidt—3.

January 28, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Rosalyn Butler in the amount of \$297.70.

Dear President Creamer
and Members of City Council:

On October 15, 1984 the claimant, Rosalyn Butler, filed a claim with the City seeking reimbursement in the amount of \$1200 as settlement for her accrued compensatory time earned while she was a City employee and for the City's failure to allow her to attend educational classes during the work day.

A review of the City Personnel records concerning the claimant reveals that the claimant had 70 accrued

compensatory hours when the claimant left City employment for which the claimant was apparently not paid. In addition, it appears that the claimant was denied permission to attend an afternoon class at Michigan State University during working hours. The Finance Department has computed the proper amount of her claim attributable to accrued by unpaid compensatory time as \$902.30. A review of Public Service records reveals that monies exist without Council action being needed to compensate the claimant for that amount. In addition, it appears that the claimant is willing to accept the amount of \$297.70 as total compensation for settlement of the remainder of her claim regarding the City's failure to allow her to attend classes and other matters.

Based upon a complete review of the records concerning this claim and the de minimis amount which the claimant is seeking in regards to settlement of the claim regarding the classes and other matters, it is the recommendation of this office that upon the claimant's execution of a release, the claimant be granted \$297.70 as complete compensation for her claims.

Respectfully submitted,

Stephen R. Sawyer,
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of \$297.70 payable to Rosalyn Butler.

Carried.

DATE: 1-23-85

TO: Council President Charles Creamer and
City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Lansing Housing Commission

RE: Resolution authorizing the execution of Amendment #20 to the Annual Contributions Contract C-3007 and the issuance of Project Loan Permanent Notes.

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the Mayor and this resolution authorizing the execution of Amendment #20 be adopted.

Carried.

DATE: 1-25-85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning and Municipal Devel. Dept.

RE: Filling vacant position on Planning Board

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor

Received and placed on file.

DATE: 1-24-85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning and Municipal Devel. Dept.

RE: Z-32-84, 2726 North Grand River Ave.

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor

Referred to the Committee on Physical Development

DATE: 1-24-85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning and Municipal Devel. Dept.

RE: Z-33-84, 5124 South Pennsylvania Ave.

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor

Referred to the Committee on Physical Development

DATE: 1-24-85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Lansing Jaycees

RE: Ninth Annual Lansing Jaycee Oktoberfest

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor

Received and placed on file.

DATE: 1-24-85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Finance Department

RE: Transfer of funds

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor

Referred to the Committee on Ways and Means.

RESOLUTIONS

By COMMITTEE ON PUBLIC PROPERTIES AND
SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas the Transportation Division staff, the Traffic Board, the Mayor, and the Committee on Public Properties and Safety have all recommended approval of a request from Councilman Lindemann on behalf of the residents on regulations on LaSalle Boulevard,

Now Therefore Be It Resolved, the Lansing City Council hereby approves the installation of No Parking At Any Time on both sides of LaSalle Boulevard from 111 feet north of the cul-de-sac (dead end) to the cul-de-sac (dead end) of LaSalle Boulevard.

The following changes will be required in the City Traffic Code:

No Parking At Any Time in the cul-de-sac at the dead end of LaSalle Boulevard.

No Parking At Any Time on both sides of LaSalle Boulevard from the cul-de-sac to 111 feet north of the cul-de-sac.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor, and the Committee on Public Properties and Safety have all recommended approval of a citizen request for changes in the parking regulations on Tenny Street,

Now Therefore Be It Resolved, the Lansing City Council hereby approves the installation of No Parking 6 a.m. to 6 p.m. on both sides of Tenny Street from Dunlap Street to the dead end north of Dunlap Street.

The following changes will be required in the City Traffic Code:

No Parking 6 a.m. to 6 p.m. on both sides of Tenny Street from Dunlap to the dead end north of Dunlap Street.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor, and the Committee on Public Properties and Safety have all recommended approval of the removal of the left turn prohibitions at Elm Street and Washington Avenue,

Now Therefore Be It Resolved, the Lansing City Council hereby approves the removal of the following prohibitions:

- 1) No Left Turn for westbound traffic on Elm Street at Washington Avenue.
- 2) No Left Turn 6 a.m. to 6 p.m. for eastbound traffic on Elm Street at Washington Avenue.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor, and the Committee on Public Properties and Safety have all recommended

approval of a request from the Building Division for traffic control at the intersection of Glenburne Boulevard and Seaway Drive,

Now Therefore Be It Resolved, the Lansing City Council hereby approves the installation of Yield signs on Seaway Drive at Glenburne Boulevard.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor, and the Committee on Public Properties and Safety have all recommended approval of the removal of the left turn prohibition at Main Street and Washington Avenue,

Now Therefore Be It Resolved, the Lansing City Council hereby approves the removal of the No Left Turn 3 p.m. to 6 p.m. prohibition for southbound traffic on Washington Avenue at Main Street.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor, and the Committee on Public Properties and Safety have all recommended approval of a petition request for traffic control at the intersection of Marion Street and Hillcrest Street,

Now Therefore Be It Resolved, the Lansing City Council hereby approves the installation of Stop signs on Marion Street at Hillcrest Street.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor, and the Committee on Public Properties and Safety have all recommended approval of a petition request for traffic control at the intersection of Marion Street and Pompton Circle,

Now Therefore Be It Resolved, the Lansing City Council hereby approves the installation of Stop signs on Marion Street at Pompton Circle.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor, and the Committee on Public Properties and Safety have all recommended approval of a citizen request for changes in the parking regulations on Ontario Street from Lansing Avenue to Roseneath Avenue,

Now Therefore Be It Resolved, the Lansing City Council hereby approves the installation of Two Hour Parking 8 a.m. to 6 p.m. school days on the north side

of Ontario Street from Lansing Avenue to Roseneath Avenue.

The following changes will be required in the City Traffic Code:

Two Hour Parking 8 a.m. to 6 p.m. school days on the north side of Ontario Street from Lansing Avenue to Roseneath Avenue.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor, and the Committee on Public Properties and Safety have all recommended approval of a petition request from area residents for traffic control at the intersection of Midwood Street and Renee Street,

Now Therefore Be It Resolved, the Lansing City Council hereby approves the installation of Stop signs on Renee Street at Midwood Street.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Now Therefore Be It Resolved, the Lansing City Council hereby approves the installation of Four-Way Stop signs on Reo Road at Christiansen Road,

Be It Finally Resolved, the Lansing City Council hereby denies the request for additional stop signs on Reo Road at other intersecting cross-streets.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Whereas, the City of Lansing and Lansing School District are autonomous bodies having responsibility for providing services within the Lansing community, and

Whereas, the City of Lansing and Lansing School District are governed by elected governing bodies, and

Whereas, issues arise within the interest area and jurisdiction of both bodies, and

Whereas, both the City of Lansing and Lansing School District have an interest in insuring that issues are dealt with expeditiously, and

Whereas the City Council of Lansing and Lansing School District Board of Education have established a liaison committee to discuss, and resolve issues which are between the two bodies,

Now Therefore Be It Resolved,

1. That a coordinating committee comprised of three (3) City Councilmembers, three (3) Board Members, two (2) City representatives, and two (2) school district representatives be established, and
2. That issues of mutual concern by the Board of Education and the City Council be referred to the coordinating committee for purposes of review and for developing recommendations for both governing bodies, and

3. That joint policies covering areas in which the Board of Education and the City Council share responsibilities be identified and established, and

4. That the coordinating committee serve as a forum for exploring new directions and future areas of cooperation between the City and the School District, and

5. That resolutions, using a common format, may be submitted to both governing bodies for disposition of issues referred to the coordinating committee, and

6. That the chair of the committee alternate on an annual basis between the City and the School Board, and

7. That the coordinating committee shall meet six (6) times during the school year; special meetings may be scheduled as the need arises.

Adopted by the following vote:

Yeas: Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—6.

Nays: Adado, Belen—2.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

\$7,028.00 from General Fund Estimated Revenue. A/C 101-000-000-160
\$7,028.00 to Forfeitures Act 251. A/C 101-305-016-969

I hereby certify that this is a properly drawn and eligible transfer.

James W. Dowsett,
Finance Director

Approved:
James Blair
Patrick Lindemann
Tony Benavides
Ways and Means Committee

Adopted by the following vote:

Unanimously.

By COUNCILMEMBERS BELEN, WORTHINGTON, AND BLAIR—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried

Letter presented from Marvin S. Ray, Director of Personnel Development Division of State Dept. of Civil Service, announcing a training program to be held in the future regarding "At Will Employment."

Referred to the Committee on General Services with a copy to the Mayor.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing:

Whereas, the U & I Club had its first meeting on Monday, February 2, 1885, and

Whereas, this remarkable group of civic and cultural leaders from our community will be celebrating its one-hundredth birthday next week, and

Whereas the U & I Club membership is limited to eighty (80) notable men and women from the Lansing

area who meet every Monday evening at a member's home, and

Whereas, the unstructured nature of this organization is part of what makes it so unique, and

Whereas, the only officers are the Chairperson and the Assistant Chair whose responsibility it is to introduce the weekly speaker (also from the membership) who presents an informative paper on an educational or cultural topic,

Now Therefore Be It Resolved, the City Council of the City of Lansing hereby officially salutes and offers warm anniversary greeting to the U & I Club in its centennial year, and

Be It Further Resolved, we admire and appreciate the depth of commitment of Utility and Interest demonstrated by the members of this exceptional organization.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing:

Whereas, only two short weeks ago this Council passed a resolution of congratulations to Joseph Sanchez on the occasion of his selection as President of Saturn Corporation, and

Whereas, in less than two years, Joe Sanchez and his family had through their involvement and sharing, truly endeared themselves to the greater Lansing community, and

Whereas, we were all stunned by the news of his death,

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby expresses heartfelt condolences to Mrs. Sanchez and her three sons in their bereavement, and

Be It Further Resolved, on behalf of all the citizens of Lansing, we share the deep sense of loss and will remember Joe Sanchez and his contribution to this community for many years to come.

Adopted by the following vote:

Unanimously.

APPROPRIATION TRANSFER REQUEST

Transfers are hereby requested as follows:

From: Account #101-941-000-912, Reserve for Legal Claims Deductible & Liabilities, Amount: \$25,000.00

To: Account #101-930-000-963, Claims, Amount \$25,000.00

Explanation of Necessity for transfer request: To provide funds for previously-approved claims—\$9,000; \$16,000 for claims to be approved or pending. Total claims paid to date \$89,432.

Original Budget — \$20,000

Draper — \$32,462

Transfer 10/84 — \$25,000

Budget to Date — \$79,462

Draper claim actual totalled \$27,425 (Hill and Lemon cases—\$13,600), (Mediation (Golden)—\$15,000), (Worthington-Kensington—\$9,000)

Approved by: Jan Lazar, Budget Director

Date: 1-25-85

Referred to the Committee on Ways and Means.

REMARKS BY THE MAYOR

No Comments.

REMARKS BY THE CITY COUNCIL

Councilmember Benavides inquired whether time would be extended for the pick-up of trees and limbs from the recent ice storm. Also announced a public hearing would be held by the Public Service Department for Sewer Task Force Study on Wednesday, and the Board of Water and Light would have a public hearing on their increased rates on February 5, 1985.

Councilmember Worthington announced that General Services Committee would conduct a clean-up of the writing of the Municipal Code Book.

Councilmember Schmidt announced people were needed as adult crossing guards and interested persons could apply through the Personnel Office.

Councilmember Blair remarked about businesses shoveling snow onto the sidewalks and that it should not be done.

Gary Andrews, 560 Brookland Blvd., asked about the disposition of his request for the Popular Arts Workshop to share in Equity Funds, and made remarks about the Mayor's State of the City Address.

Marvin Stump, Jr., 2314 Bolley Drive, retired Captain from the Fire Department, spoke of fire protection on the east side of the City as being inadequate.

Copies of his presentation were referred to the Committee on Public Properties and Safety.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:40 P.M.

RITA BAUMAN,
City Clerk

January 28, 1984

Lansing, Michigan

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

35

Proceedings, February 4, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

February 4, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Schmidt, Worthington—7.

Absent: Councilman Lindemann—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Benavides.

Pledge of allegiance was lead by Jeff Kent, Chief Okemos Council.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting General Motors Supervisory Awareness team to make a presentation in regard to the raffle of an automobile with funds to go to the Friends of the Zoo Society. Member of the team present were: Dan Strickland, John Shier and Phyllis Stewart.

Councilman Adado left the session.

PUBLIC HEARING

February 4, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Industrial Facilities Exemption Certificate for Motor Wheel Corp. at 4000 Collins Road.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Industrial Facilities Exemption Certificate they will have the privilege of speaking at this time.

Referred to the Committee on Economic Development.

PUBLIC HEARING

February 4, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Industrial Facilities Exemption Certificate for Wellman Press, Inc., 200 N. Cedar Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Industrial Facilities Exemption Certificate they will have the privilege of speaking at this time.

Referred to the Committee on Economic Development.

PUBLIC HEARING

February 4, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Industrial Plant Rehabilitation District at 1508 N. Grand River Avenue (Nehi Beverages, Inc.)

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Industrial Plant Rehabilitation District they will have the privilege of speaking at this time.

Referred to the Committee on Economic Development.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Committee Report 2b was pulled from the agenda.

Councilmember Blair brought up the subject of Council Rules and questioned why the Mayor was allowed to be on the agenda at this point. He spoke at length on the subject.

By COUNCILMEMBER BELEN—

I move that the rules of the Council be waived for the purpose of the Mayor presenting the 1984 City Activities Message at this time.

Councilmember Blair asked to explain his vote.

Failed by the following vote:

Yeas: Councilmembers Belen, Benavides, Creamer, Schmidt, Worthington—5.

Nays: Councilmember Blair—1.

Councilmember Adado returned to the meeting.

By COUNCILMEMBER SCHMIDT—

I move that we reconsider the vote on the question with Councilmember Adado in the meeting.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER BELEN—

That we vote again to allow Mayor McKane to speak at this time regarding his items on the agenda.

Adopted by the following vote:

Yeas: Councilmembers Adado, Belen, Benavides, Creamer, Schmidt, Worthington—6.

Nays: Councilmember Blair—1.

CITY ACTIVITIES IN 1984

The people who make up City government are hardworking and effective. In addition, they are strong believers in the people of Lansing. It has been a privilege for me to get to know our staff as Mayor. Following is a summary—a brief summary—of their many 1984 services to the people of Lansing.

Office of the Mayor

During 1984, my staff and I continued to provide administrative direction to our fifteen departments, liaison with the Council, and close communication with the public.

During 1984, my Executive Assistant, Ronald U. DeMaagd, resigned in order to take a position with a local government consulting firm, Public Sector Consultants. I currently am involved in a careful selection process that has involved about 125 applicants. I hope to have a new Assistant shortly.

Part-time Special Assistant Tom Wilbur continued to work with inter-governmental, community and press relations. He also participated in several special projects including downtown parking. Currently he is recovering from a serious automobile accident.

My Citizen Referral Specialist, Pamala Fowler, handled some 2,000 citizen concerns during 1984. Recently, I re-organized my office in order to be able to hire a part-time Public Affairs Specialist. Jo Ellen Flaherty is now working with Lansing's neighborhood associations and groups, the Lansing Housing Commission, and undertaking special projects.

A two and one-half person secretarial staff—including new Executive Secretary Rosemarie Kazenko—continued to meet with the public and assist with a wide range of duties. My previous Executive Secretary, Susan Wager, was promoted to Deputy Director of Personnel and Training. Finally, several volunteers assisted with special projects—including Floyd Wright with Riverfest and Jo Flaherty with the 125th Birthday Parade.

Following is a discussion of departments and agencies in alphabetical order.

Administrative Services Department

During 1984, the Department continued to reduce administrative and support costs while at the same time increasing the efficiency of City operations. Examples: Sodium lighting for the City Hall parking area was installed, providing more light to enhance security while at the same time reducing energy costs by \$7,600 annually; a new classroom was constructed at the Fire Department Training Center, thereby enabling the Fire Department to retain its state training and certification; and twenty City-owned properties were returned to the tax rolls.

In addition, the Fire Department's garage facility was relocated from No. 1 Fire Station to the new facility at 312 N. Cedar Street, consolidating the Central Garage Operation and providing safe working facilities for the employees. The program to refurbish fire apparatus continued with the restoration of No. 9 Engine.

The Burroughs computer continued to provide excellent service, being available 96% of the time and affording 14.5 user hours for each single hour of operation. Seventy-one requests to update existing computer programs were completed as well as new

development of programs and systems for income tax, microfilm, and payroll.

The Operational Services Division reproduced/printed over 5,800,000 copies in 1984, mailed 740,000 pieces of outside mail, and distributed over 70,000 pieces of inter-office mail.

Board of Water and Light

1984 saw the completion of a new \$8.6 million steam line to serve the downtown business district. The 18-inch line initially will be utilized as a backup to steam supplied from the Ottawa Station, thus immediately improving reliability of service. Eventually, it will serve as the major supplier to the downtown steam district and will handle increased demand resulting from the new hotel, convention center, and other downtown development.

The Board of Water and Light joined the thirteen other municipal utility members of the Michigan Public Power Agency in 1984 to conduct a comprehensive study of long-range power requirements. The preliminary report concluded that the fourteen utilities could save as much as \$354 million over the nineteen years by looking to each other rather than to investor-owned utilities for their power needs.

Nine of the fourteen MPPA members participating in the study currently depend upon investor owned utilities for all or part of their power. Five, including the Board of Water and Light, supply all of their own needs. The study indicated that, except for a short period from 1988 to 1992, the five "native generation" utilities will have enough excess capacity to serve the others, and at a substantial savings to all. The utilities who now depend on wholesale purchases from investor-owned utilities would pay less for power by buying it from native generation municipals. Lansing and the other four would realize income by finding a market for their excess capacity. The study concluded that the Board of Water and Light and its customers could make about \$3 million per year, or \$57 million over the length of the project, by selling its excess capacity to other MPPA members through 2003. The Board of Water and Light is currently meeting with the other municipal utilities in an effort to establish sufficient interest to proceed with the project.

For the last two years, the Board of Water and Light has joined with others in seeking assistance for people faced with winter utility shutoffs. Special envelopes inserted in electric bills during December, January and February have encouraged Board of Water and Light customers to donate to the Energy Bank campaign. Customers have responded by contributing more than \$93,000 to the envelope campaign over the last two years. The Board of Water and Light is participating in the program this year.

Earl Brush, General Manager of the Board of Water and Light since 1972, retired at the end of 1984, completing a career of nearly 40 years in the utility industry, the last sixteen with the Board of Water and Light.

City Clerk's Office

During 1984, the Clerk's office issued approximately 650 City licenses (for gasoline pumps, heating/air conditioning, mechanical devices, rubbish, public drivers, etc.). Staff also processed 6,500 birth certificates and 1,800 death certificates.

The office conducted three elections in 1984—school millage, Primary Election, and the General Presidential Election. (Approximately 7,398 persons voted by absentee ballot). Some 5,953 persons were newly-registered to vote in Lansing. The office worked closely

with handicapped people. All but nine of our precincts are barrier-free. We will be working on those nine in 1985.

The Clerk's office also assisted with City Council meetings and kept minutes of all Council proceedings. They have on file all legal documents which are vital to the City.

During 1985, the staff hopes to install computer terminals for improved voter registration purposes.

Civic Center

Civic Center bookings increased in dollar value slightly for 1984-85—to more than \$550,000. Two new trade shows have been added: a Home Energy Show and a Sports and Travel Show.

The conversion of the Civic Center parking lot to an attended operation has been completed. It is now operated successfully by the City's Transportation Division.

Finance Department

Increased audit activity by the Treasury/Income Tax Division during 1984 generated an additional \$166,000 in income tax revenues and \$45,000 in penalties and interest from 600 taxpayers failing to file income tax returns and not reporting all income subject to the tax.

The Budget Division received the Government Finance Officers Association's "Distinguished Budget Presentation" award. This award was the first to a Michigan city, and one of the ten awarded nationally since the award program was begun. A major goal of the Division in the upcoming year is to further improve the budget document.

The Accounting Division again received the "Certificate of Conformance" award from the National Government Finance Officers Association. This reflects continued excellence of financial reporting.

The Assessor's Office has maintained a 1.00 equalization factor on property assessments, reflecting their continuing emphasis on uniformity and equity in assessment practice.

The Retirement Boards have recently contracted for additional investment management services culminating a two-year program of automating those record keeping and evaluation services essential to a more active investment program.

Fire Department

During 1984, 409 Lansing firefighters attended major schools in order to upgrade their skills. Courses included handling of hazardous materials, rescues and evacuations, water rescues, and stress management.

During 1983, the Department began a "home inspection program." In 1984, 2,350 Lansing homeowners were contacted and 854 homes were inspected. As part of this program, the Independent Insurance Agents of Greater Lansing donated 288 smoke detectors. Local radio and television stations gave \$25,000 in free public service ads to promote the inspection program.

Also in 1984, three inflatable water rescue rafts were put into service and pre-fire planning of the City's commercial and government buildings was started.

Finally, a "ride along" program for Explorer Scouts was begun; three of Scouting's highest awards were given to Fire Department members; twenty "Appreciation Awards" were given to concerned citizens; and Pope John Paul, II gave the Department an Apostolic Blessing.

Human Relations Department

On January 13, 1984, the Department hosted a third

annual City memorial of Martin Luther King, Jr.'s birthday. It was held in Council Chambers. I participated along with Councilmembers, Reverend Lester Stone, and an over-flow crowd.

During 1984, the Department received 1,234 "Rapid Charge" petitions—up from 753 received in 1983. These allow immediate relief for the charging party. The Department also continued to work with the Michigan Department of Civil Rights to resolved individual complaints.

The Department initiated a series in *The State Journal* called "Your Civil Rights". This has since been expanded to a city-wide project and is now coordinated by my office under the title "Your City Hall".

In 1984, I designated the Department to work to provide equal access to handicappers. A transitional plan was developed and adopted in accordance with Section 504 of the Federal Rehabilitation Act of 1973. The Department also worked with the Personnel Department to develop a comprehensive Sexual Harassment Policy and Procedures for City employees.

Finally, the Department obtained a Telecommunication Device for the Deaf (TDD). This will aid persons with hearing impairments who need some form of City or other public assistance.

Human Resources Department

During 1984, the Department contracted \$729,632 to 29 human services, arts - cultural, and other agencies. State of Michigan "Equity" funds also will be contracted. These City-supported agencies served more than 200,000 people.

Services provided included: emergency food, shelter, clothing, furniture, and energy aid; rent escrow guarantees; substance abuse, health and mental health services; elderly homebound meals; delinquency prevention and diversion; ex-offender rehabilitation; counseling; handicapper services; day care; recreation and culture; safety programs; convention promotion; rail service; and employment assistance.

The Department and the Food Bank coordinated \$150,000 in emergency grants for food, shelter, and energy. Involved agencies included: YMCA, Volunteers of America, Loaves and Fishes, Salvation Army, St. Vincent de Paul Society, Cristo Rey, Red Cross, Food Bank, Council Against Domestic Assault, Housing Assistance Foundation, Community Services and Referral Center, and Economic Crisis Center.

The Department was involved in a variety of studies or assisting activities. As examples, staff participated in creating a "Chemical People" project; coordinated substance abuse programs with the Lansing School District and other service providers; helped establish an adolescent health center with Ingham County; helped study youth problems; coordinated grants for youth needs; and coordinated grants and services for food, clothing and shelter. Staff also assisted several cultural agencies with their programs.

Lansing Housing Commission

The Commission's new 79-unit scattered-site housing development is one-third finished. It is expected to be completed by July, 1985.

The Federal Department of Housing and Urban Development provided \$154,000 for energy conservation. Nearly \$750,000 has been spent by the Commission to increase the energy efficiency of residential homes over the past two years.

The Commission's Human Services branch has increased resident participation in such programs as resident councils, nutrition, and recreation. New programs in child care and participation are being

developed with MSU's College of Nursing.

During 1984, the Commission worked with the City's Planning and Municipal Development Department. Together the agencies worked on the City's new Rental Rehabilitation Program. The Program assists to provide physical renovation and rent subsidy to private homes.

Labor Relations Department

Created in 1982, the Department continued to define and improve the City's employee relations affairs. During 1984, a new bargaining unit—representing 9-1-1 Operators—was recognized by the City. This increased to eight the number of City-recognized bargaining units.

During 1984, the Department and Lansing Independent Employees Union formed two joint committees. These will enable us to address two mutual concerns: (1) employee safety and (2) alcohol and drugs in the work place.

Law Department

During 1984 the Department continued to experience an increase in the issuance of criminal warrants in City ordinance enforcement areas, particularly in the areas of prostitution and building and zoning code violations. The Department assisted efforts to curtail street prostitution by drafting and successfully defending a city ordinance which sets forth mandatory minimum jail time and a mandatory minimum fine for offenders convicted or pleading guilty to prostitution or solicitation. In addition, the Department implemented a Diversion Program which requires qualified first time offenders to perform voluntary community service to local non-profit agencies. Qualified first time offenders provided 12,000 hours of volunteer labor to local non-profit agencies and have paid the City \$25,000 in fines. The Department has continued to prosecute those offenders which do not qualify for the Diversion Program. I am working with staff to expand the Diversion Program to other types of offenses.

In the area of building and zoning code violations, the Department issued over 130 complaints and summonses. The Department aggressively pursued building and zoning code offenders to improve the quality of housing and protect property values.

The Department increased its support of Labor Relations activities by hiring staff with expertise in labor relations and personnel. Such expertise will result in increased efficiency and cost savings.

The Department continued to provide legal advice to City officials, draft and review contracts, and represent the City in various civil suits.

Office of Emergency Services

During 1984, the office reviewed and updated emergency plans and procedures in compliance with Federal Emergency Management regulations. In addition, various levels of command post operations were conducted in response to two major fires, three barricaded gunman/hostage situations, five VIP visits, and 20 severe weather watches or warnings.

The Michigan State Police and Federal Emergency Management Agency rated Lansing's emergency services operations at 93%—considerably above the 38% national average.

Parks and Recreation

The recreation services in the City of Lansing were maintained at a very positive level during 1984. These were largely the result of funding in several critical areas and the increased involvement of citizen groups.

Community Involvement. The Department works with a large number of active citizen groups. In 1984 this included the Park Board, established by City

Charter, as well as the Washington Mall Advisory Board and the Senior Center Advisory Board, both established by Ordinance. In addition to these, the Department worked closely with the Friends of Fenner Arboretum, the Friends of the Zoo Society, the Gier, Foster and Kingsley Advisory Boards, the Softball Advisory Board, the Baseball Advisory Board, the Scott Center Board, and the Friends of Turner-Dodge. In 1984, the Friends of Cooley Gardens was organized for the purpose of restoring one of Lansing's most beautiful park areas. In addition, a neighborhood group near the 119 Armory Park organized to help the Department in making improvements in the area of neighborhood play equipment.

Park Improvements. For over ten years, there had not been a program to replace playground equipment in the city parks. During 1984, new equipment was placed in twenty parks, with eight more funded and scheduled for Spring of 1985. In addition, the renovation of Hunter Pool and upgrading of lighting at Municipal Park and Riverfront Trail were completed.

Grand Woods Park. During 1984, Grand Woods Park, which is located outside of the City, was operated by Delta Township under a contract with Lansing. The number of days that the park was opened to Lansing and Delta Township residents was increased over the number of days the park was opened when under City management. In addition, pressure on our maintenance department and security was lessened, allowing them to provide more attention to other City park areas.

Potter Park. 1984 was truly a big year in our efforts to make improvements within Potter Park. In March, the Mayor and Council approved the Master Plan for Redevelopment as recommended by the Park Board and the Friends of the Zoo Society. In June, it was decided by the Mayor and Council this item would appear as a local issue on the August state-wide primary. The request was for bonding authority of 1.5 million dollars necessary to cover one-fourth of the redevelopment cost. The bond issue passed with a 73 percent "yes" vote. Total attendance at Potter Park during 1984 (including periods that vehicle fees were not charged) exceeded 300,000.

Community Relations. In April, 1984, the Department published the first issue of *Horizons*. This tabloid was designed to improve awareness of City services in a cost effective manner. The response has been tremendous. There are approximately 200 activity classes listed in each edition. There must be sufficient registration in each class in order to pay the cost of the instructor and all class materials. All 200 classes listed in the Fall 1984 *Horizons* met this criteria for full registration.

Personnel and Training Department

During 1984, the Department developed comprehensive Personnel Rules for six groups of employees. These provide consistent and equitable application of the rules and fringe benefits which govern the employment relationship between the City of Lansing and non-bargaining unit employees.

The Department has been actively involved in an evaluation of the City Classification Plan. Training in the Hay evaluation methods and techniques was provided to various City staff persons to ensure effective maintenance and implementation of the classification system. A Job Content Committee was established to review and provide recommendations on reclassification requests submitted by employees. Further, a benchmark audit of the classification system was initiated and will be completed in January, 1985. The results of this audit will determine whether a recalibration of the overall system is necessary.

Recruitment efforts were begun to ensure that the City's applicant pool represents all protected groups in

the Lansing area. This has improved the City's affirmative action efforts.

A G.E.D. Program was established with the Lansing School District. This program assists our employees to pursue their educational training and improves the quality of our overall work force.

The Mayor's Handicapper Advisory Committee has worked with the Department to develop the Handicapper Reasonable Accommodation Policy and a policy to assist employees who become handicappers while employed with the City. This is a major step forward in addressing the needs of Lansing area handicappers.

An employee recognition program was instituted to honor employees with "25 Years of Service" and to honor those employees retiring from the City. Our employees provide a valuable contribution to the people of Lansing and the recognition program is a means to express our appreciation for their outstanding service.

The Department also continues to provide opportunities for our employees to participate in seminars, noon hour enrichment programs, and tuition reimbursement programs. The staff has been heavily involved in the coordination of records, benefits, and the routine personnel activities generated by a work force of 1,344 persons.

Planning and Municipal Development Department

Significant 1984 accomplishments included the development of the LEAN program which is an energy conservation program aimed at homeowners and businesses; the implementation of a small business loan program which provides up to \$50,000 of low interest financing to encourage business expansion; the organization of the City's Historic District Commission; the marketing of the Poxson property to local developers; and the training of the Housing and Zoning Inspectors in preparation for the consolidation of Zoning and Housing Inspectors into a Code Compliance Team aimed at improving the condition of housing in neighborhoods throughout the city.

Through continuing minor organizational changes, department staff was reduced by four positions through attrition. Three of these were in the Community Development Program. This process will continue when appropriate vacancies occur.

Other accomplishments include:

The Building Safety Division issued 5,133 permits during 1984 including 1,530 building permits for a total value of \$41,676,000. This represents a modest increase of \$2½ million over the previous year. Major projects included the Oldsmobile renovation/expansion for the new GM 20 car and construction of the Motor Wheel Corporate Headquarters on Collins Road. Field inspections pertaining to these permits totalled 15,634 or approximately 3,000 more than the previous year.

Housing Code Compliance activities included 6,000 housing inspections and 473 multiple dwelling inspections. In addition, 2,128 trash violations and 1,756 violations for weeds and tall grass on individual properties were issued.

In addition, the Sealer of Weights and Measures checked over 1,000 motor fuel pump devices and almost 19,000 prepackaged items for accurateness of contents.

The Development Division is charged with the responsibility of implementing the Community Development Block Grant Program for the City. Direct assistance was given to 310 housing units in the form of rehabilitation loans, weatherization assistance or one of the housing programs of the Michigan State

Housing Development Authority. In addition, 22 substandard housing units were purchased in Phase II of the Capitol Commons. Twenty vacant lots were sold to adjoining property owners in the neighborhood development areas.

The Division completed the implementation of almost \$800,000 in Jobs Bill projects ranging from the YWCA, Impression 5 Museum, to curb and gutter, and street resurfacing in the Community Development Target neighborhoods.

The Planning Division completed a Master Plan revision for the Cherry Hill neighborhood, initiated a revision to the River Island Plan, and began preparation of a detailed plan for the Green Oaks neighborhood. The division processed 33 rezoning applications, 7 subdivision plats, 55 cases for the Board of Zoning Appeals, 31 front yard parking petitions, 6 foster care facility analyses, and 46 requests for lot splits. Three thousand zoning inspections were made and 700 front yard parking violation tickets issued. In addition, over 11,500 requests were received for zoning information.

The Division processed the final environmental impact statement for Edgewood Blvd. and completed the transportation system management study for Logan Street. In addition, over 40 tax abatement reviews were completed. Considerable time was spent implementing the LEAN Program which is aimed at encouraging homeowners and small businesses in Lansing to conserve energy through improvements to their buildings. The Historic District Commission was organized and is supported by the Division.

The Grants Office continued the on-going responsibility of searching for new funds and tracking the funds already received through the many plans to completion. One of the several projects is the Hiking/Biking path along the river.

Police Department

The Department worked during 1984 to implement crime reduction programs and to apprehend criminals. Part I crimes for 1984 decreased by 8% as compared to 1983. The most significant reductions occurred in robbery, burglary, and larceny offenses.

Uniform Division. Officers responded to 70,013 calls for service—an 8% increase over 1983.

As of December 1, 1,090 O.U.I.L. (drunk driving) arrests were made—as compared to 778 arrests in 1983. The Department initiated an audio-visual recording program of O.U.I.L. arrests on December 29. The testing includes three standardized sobriety tests which can be used as evidence in court proceedings.

Five officers began working in a new Crime Suppression Unit. These officers are assigned to specific parts of the City based on crime analyses. The unit adds a new dimension of flexibility in ability to shift resources to high-crime areas.

A new warrant program employs four officers to locate persons with outstanding felony warrants—and thereby decrease at-large felons.

Administrative Support Division. The Planning and Research Unit worked to improve crime analyses. This assisted the Department to better deploy resources to high crime areas.

The Division also emphasized personnel recruitment, selection, and training—particularly minority recruitment and training.

Investigation Division. Several new programs were begun in 1984. A robbery specialist team to reduce duplication was created; an investigator was trained to handle unique Gypsy crimes; a polygraph operator underwent field study; and an investigator began the

task of composite drawing artist.

Central Records Division. The Neighborhood Watch Program has grown to 135 groups serving 13,349 households. Message machines are used to inform Watch groups.

Criminal justice programs are now presented in junior and senior high schools. They have two goals: (1) to explain the criminal justice system, and (2) to establish better rapport with the students. The Officer Friendly Program contacted 12,000 children with information regarding stranger danger, pedestrian safety, and child abuse and neglect.

The Crime Scene Investigation Unit was reduced to four officers from six—to place the unit under one Command and improve efficiency. Two officers were transferred to the Uniform Patrol allowing for more patrol time.

Law Enforcement Management System. The Law Enforcement Management System has helped streamline Departmental information flows and has pinpointed data inconsistencies and inefficiencies. This improved information has helped in several successful investigations. It also has helped to monitor Department workloads and effectiveness.

During 1985 the system will be further concentrating on the detention facility, traffic tickets and accident reports, and personnel timekeeping. This will assist effective deployment of officers.

Criminal Intelligence/Metro Narcotics. During 1984 these units were involved with 202 stolen property cases, 163 prostitution arrests, 43 fugitive arrests, 142 narcotic investigations, and 500 intelligence reports.

Public Service Department

Engineering Department. During 1984, the Division resurfaced eighteen miles of streets and constructed an access drive to Lansing General Hospital. A Pavement Management System was started to allow the Department to better evaluate the street system and prepare alternate strategies for street repair.

The Division also worked with the Michigan Department of Transportation to secure Federal funding for reconstruction of the Washington Avenue and Cavanaugh Road Bridges and the intersections of Mary/Logan and Jolly/Aurelius.

Effort was directed to computer software development. Several projects were completed including construction pay accounting program, project scheduling programs, and project monitoring programs.

Road and sewer construction were revised and work was accomplished in the management of utility pavement cuts.

Sewer and street complaints data stored in the City's computer was analyzed and areas of further study were identified. Analysis of this data will be used to revise maintenance and construction programs and standards.

Operations and Maintenance Division. This Division is responsible for street and sewer maintenance activities. Beginning in July, 1982, citizens' complaints have been recorded in the City's computer. An analysis has revealed that the number of complaints received during 1984 is down 21.7% compared to 1983. The Division received 26.8% fewer pothole complaints and 23.1% fewer street condition complaints.

The improvement of the street system is a result of improved maintenance techniques, increased efforts, and new technology. In areas where potholes tend to be a problem, the existing material is removed and new material is installed. These spot repairs are called dig ups. During the winter months, when the weather is

mild, recycled asphalt is used to make base repairs on streets that are breaking up severely. After a year of testing and study, an improved crackfilling material and technique has been found. Crackfilling is an important technique for prolonging pavement life by keeping water out of the street's substructure. An improved cold patch material has been used for the past two winters. This material lasts three times as long as the previous material. Skinpatching is a method of hand-patching that levels surface imperfections. The result is a pavement that rides smoother and drains better.

The Division is also responsible for refuse collection. A refuse system survey was conducted in 1983 and several changes in operations were implemented. The number of collection routes has been reduced from ten to nine. This will result in an annual savings of \$60,000 per year. Refuse collection operators have agreed to work six of their designated holidays which will improve refuse collection. An independent national survey of 56 major cities indicates that the Lansing Orange Bag System is the second lowest cost per resident refuse collection service in the nation.

Transportation Division. During 1984, the Division started a study of the one-way streets in downtown to determine if changes can be made to improve the circulation of traffic without severely increasing congestion. The Division also installed 528 street name signs at 184 intersections, made sign repairs at 81 intersections, installed, repaired or replaced 2,200 traffic signs, and replaced 430 old stop signs. This will improve visibility of the signs and increase safety at the intersections. Painting activities included crosswalks, stop bars, arrows and "onlays," and 210 miles of Longline pavement markings. The two-phase signal at Jolly/Washington was converted to three-phase actuated operation to reduce delay. The program to install pedestrian signals on all actuated controllers in the City continued.

Parking Information Signs were installed in nine parking lots. The Parking System has continued the parking token program which provides shoppers free parking. Token use has leveled off at about 3,200 tokens per month. The merchant validation program has been expanded to the new attended facilities which came on-line (North Grand Garage and Lot 18). Approximately 200 additional on-street meters were installed to support the opening of the new State office buildings.

The Division took over the operation of the Civic Center parking lot which provided improved parking services for activities at the Civic Center, provided more parking spaces for the Senior Center operations, and increased revenues from the facility.

Progress has been made on the expansion of the North Grand Garage and the possible use of the Jupiter site for additional parking. The consultant is currently developing construction plans. The Parking System is also participating in the development of the parking to be constructed in conjunction with the proposed Convention/Exhibition Center.

The Parking System has improved the conditions of three surface lots (#14, 15, and 17). The third year of the preventative maintenance program has been completed. The expansion joints were replaced in two parking garages along with column repairs in one garage.

Wastewater Division. During 1984, the Wastewater Treatment Plant processed 8,898,150,000 gallons of sewage at an average rate of 24.31 million gallons per day. This is a decrease of 4.2 million gallons per day. The decrease in flow is due to the extremely dry summer and fall weather. As a result of the treatment process, the plant generated 8,397 tons of sludge or 3,863 tons of dry solids. The plant continued to

produce a high quality effluent with only four violations of the National Pollutant Discharge Elimination System Permit effluent limitations. The effluent was in compliance 99.7% for the year.

Progress on Phase I of the 201 Facilities Plan continues. An EPA Construction Grant was received for Segment I, contracts bid, and construction initiated in 1984. The Segment contains six contracts totalling \$11.10 million in construction costs and \$1.48 million in engineering contracts. Construction should be completed in 1985 on most contracts.

Design was completed on Segment II containing a major plant expansion and extensive interceptor sewer construction. An EPA Construction Grant of \$49.42 million was received and the bidding process initiated in 1984. All bids will be received in early 1985 with construction following in late Spring. Total construction cost estimate is \$65.25 million. This grant represented the largest single grant ever received by the City of Lansing.

Design was started on Segment III, the final portion of Phase I. Design should be completed in late Spring, 1985. The segment has an estimated cost of \$37 million.

The Department of Natural Resources approved the Sewer System Evaluation Survey and conditionally approved the Industrial Pretreatment Program (IPP) in 1984. The IPP will be implemented in 1985.

Purchasing Department

During 1984, the Department was involved in the purchase of some \$45 million in goods and services for the City. Included were small things such as pencils and paper and larger items such as heavy construction equipment, trucks and automobiles.

The Department processed sales of revenue producing items by auction and sealed bids of approximately \$146,000.00 in 1984.

The Department also doubled its involvement in consultant service proposals. Last year it produced more bids and quotes than usual for City construction projects.

The Department is currently working with the Law Department to institute a standard purchasing procedure for all City agencies. Staff will work with Department heads and clerical staff in a series of seminars as soon as this procedure is established.

The Department is looking forward to several major projects in 1985, including the hotel/exhibition complex, the Potter Park Feline House and Zoo improvements, several major road and bridge projects, and continuation of the Wastewater Treatment system. These projects may mean as much as \$100 million in City purchasing during 1985.

Mayor McKane introduced his new Executive Assistant, Cleophus Boyd, Jr. who is coming here from Highland Park, Michigan.

PROCLAMATION

Whereas: The Boy Scouts of America has served our nation's youth from 1910; and

Whereas: More than 70 million youth and adults have benefitted from being members of this highly regarded youth movement; and

Whereas: Scouting is available for all youth regardless of race, religion, or socio-economic level who are taught character, citizenship and fitness.

Now, Therefore, I, Terry J. McKane, Mayor of the City of Lansing, by the power vested in me, do hereby urge all citizens to join with me in extending sincere

congratulations to the Boy Scouts of America on its Diamond Jubilee of service to the United States of America and commend those community groups that provide volunteer adult leaders who make it possible for the Scouting program to bring its proven benefits to our young people.

Given under my hand and the Seal of the City of Lansing this first day of February in the year of Our Lord one thousand nine hundred and eight-five.

TERRY J. MCKANE,
Mayor

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

Auctioneer—Charles Chestnut
Public Driver—Kenneth W. Green
Pool Room—Hall of Fame Billiards
Beer & Wine Carry-Out—5400 S. Pennsylvania and 900 W. Holmes Rd.

Referred to the Committee on General Services

Claim filed by Duane Smith, owner of Martin Bike Shop, for an air pump taken from his business.

Referred to the Mayor and City Attorney.

Petition filed for Special Land Use—SLU-I-85, 1500 E. Cavanaugh for relocation of retail sales lot for sand and gravel.

Referred to the Mayor and Planning Board.

Richard Brook, Supervisor, Bath Charter Township, submits letter requesting meeting with City Council concerning Priggooris Park.

Referred to the Mayor and the Committee on Human Services and Intergovernmental Relations.

River Forest Neighborhood Association submits letter opposing the sewage "cost-of-service" study recommended by the Sewage Rate Task Force.

Referred to the Mayor.

Letter from Lansing's Neighborhood Council listing objections to the Sewer Rate Task Force proposal for a cost-of-service study.

Referred to the Mayor.

Doug Pitcock, President of Associated General Contractors of America, submits studies and requests support in eliminating use of certain programs in state and local construction procurement contracts.

Referred to the Mayor.

Michigan Municipal League submits notice of Annual Regional Meeting for Region II in Adrian, Michigan on March 14, 1985.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Mayor's letters—3b (Complaint of Gary Andrews/Arts Council); 3g (Appointment of Representative(s) to 911 Executive Board); 3h (Vegetable Convention at Civic Center); 3i (Report on Diversion Program) and Resolution #5 (Passage of Ordinance for storage upon and removal of refuse from commercial properties).

REPORT OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES

Approves the following licenses and bonds:

Auctioneer—Charles Chestnut
Public Driver—Kenneth W. Green
Beer & Wine Carry Out—5400 S. Pennsylvania and
900 W. Holmes.

Signed:

SIDNEY P. WORTHINGTON,
CHARLES M. CREAMER,
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted with the exception that the Pool Room License for the Hall of Fame Billiards be referred back to the Committee on General Services.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY

To whom was referred th Ordinance amendment to add Section 16-3.1 to provide for the storage upon and removal of refuse from Commercial Properties reports as follows: that said Ordinance be approved.

Signed:

JAMES D. BLAIR,
LOUIS F. ADADO,
Committee on Public Properties and
Safety

By COUNCILMAN BLAIR—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

February 1, 1985

President Charles Creamer
and Members of City Council

Re: Clinton Bank and Trust v City of Lansing
Michigan Tax Tribunal Docket No. 88544

Dear President Creamer and
Members of City Council:

In June, 1984, the Petitioner, Clinton Bank and Trust, filed a petition with the Michigan Tax Tribunal alleging that the 1984 assessment placed upon the petitioner's property located at 2627 N. East Street was greater than 50% of its true cash value and therefore, the assessment was invalid. The assessment placed upon the subject property for 1984 by the City Assessor was \$120,400. The Petitioner alleged that the 1984 assessment should be no greater than \$67,500.

Subsequently, pursuant to Michigan Tax Tribunal Rules, a counsel conference was held in the city Assessor's Office. Numerous documents were exchanged between the parties. Based upon a review of the various documents, it became apparent to the City Assessor that in addition to the vacancy that existed on the subject property, substantial deferred maintenance had occurred. As a result, a tentative settlement between the parties was reached whereby the 1984 assessment would be reduced to \$90,000.

Based upon the recommendation of the City Assessor and the substantial deferred maintenance that existed

on the subject property, it is the recommendation of this office that the tentative settlement as set forth above be approved.

Respectfully submitted,

ALLEN P. KURT
for Stephen R. Sawyer,
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and this settlement be approved as set forth above.

Carried.

February 1, 1985

President Charles Creamer
and Members of City Council

Re: Redemption of Liability in Workers' Compensation
Matter Entitled Martin D. Owens and Ada M.
Owens v City of Lansing

Dear President Creamer
and Members of City Council

In accordance with Article IV, Chapter 3, Section 4-304.7 of the Lansing City Charter, this office requests your authorization to settle the above captioned matter by redeeming the City's Workers' Compensation liability for the sum of \$1,500.00.

Mr. Owens began employment with the Public Service Department on September 10, 1973. At the time Mr. Owens was hired he was fifty-one years of age and was diagnosed by the City's physician as having multiple physical problems.

During the last several years of Mr. Owens employment he increasingly experienced pain in both feet and had difficulty walking and staying on his job as a custodian. He retired in October of 1983 at the recommendation of his physician.

Upon retiring, Mr. Owens immediately filed a petition for Workers' Compensation benefits claiming that the standing and walking on cement required by his job aggravated his bad feet. Other problems claimed were bad back and stress. The City disputed this claim based on physicians' opinions that the problems were not work related but were likely attributable to a mining accident which crushed Mr. Owens' feet 22 years ago.

No medical depositions were taken in this matter as Mr. Owens deceased during the course of litigation prior to trial. Mrs. Owens then filed a petition for widow's benefits including the costs of funeral and burial.

Based upon the recommendation of the City's Safety Director and the uncertainty of the outcome of litigation in this matter, it is the recommendation of this office that the Workers Compensation matter be redeemed in the amount of \$1,500.00.

Respectfully submitted,

ALLEN P. KENT
For Stephen R. Sawyer,
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and this Workers' Compensation matter be approved in the amount of \$1,500.00.

Carried.

January 30, 1985

The Honorable Mayor and City Council
of the City of Lansing, Michigan

Submitted herewith are the Financial Statements of the City funds at December 31, 1984, showing the relationship between the estimated and actual revenues of the City's funds at that date.

This report, together with the budget Status Report, provides the Mayor and City Council with required data relating to the financial condition of the City, exclusive of operations of the Board of Water & Light, parking System and General Fund. The above exclusions are reported upon separately.

Respectfully submitted,

JAMES W. DOWSETT,
Finance Director

STAPHEN W. DUARTE,
City Controller

Referred to the Committee on Ways and Means.

DATE: 1/31/85

TO: Council President Charles Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Building Safety Division

RE: Trash Removal Assessment—U-28 July 85 Tax
Roll \$3,502.53.

The attached is submitted with my concurrence for
your action.

TERRY J. McKANE,
Mayor

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the Mayor
and this Trash Removal Assessment in the amount of
\$3,502.52 be placed on the U-28 July 85 Tax Roll.

Carried.

DATE: 1/30/85

TO: Council President Charles Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Human Resources Director

RE: Complaint of Gary Andrews/Arts Council.

The attached correspondence is submitted for your
information.

TERRY J. McKANE,
Mayor

Received and placed on file.

DATE: 1/25/85

TO: Council President Charles Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Public Service Director

RE: Jolly Road Resurfacing—West of Waverly Rd.—
Eaton County

The attached is submitted with my concurrence for
your action.

TERRY J. McKANE,
Mayor

Referred to the Committee on Ways and Means.

DATE: 1/31/85

TO: Council President Charles Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning & Municipal Development Dept.

RE: Tax Abatement Recommendations
IPR-6-83, 4000 Collins Rd.
IPR-1-84, 200 N. Cedar St.
IPR-1-85, 1508 N. Grand River Ave.

The attached correspondence is submitted for your
information.

TERRY J. McKANE,
Mayor

Referred to the Committee on Economic Develop-
ment.

DATE: 1/31/85

TO: Council President Charles Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Finance Director

RE: Transfer of funds

The attached is submitted with my concurrence for
your action.

TERRY J. McKANE,
Mayor

Referred to the Committee on Ways and Means.

DATE: 1/31/85

TO: Council President Charles Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Finance Director

RE: Request for Position Changes Withing the City
Treasurer/Income Tax Division

The attached is submitted with my concurrence for
your action.

TERRY J. McKANE,
Mayor

Referred to the Committee on General Services.

DATE: 1/31/85

TO: Council President Charles Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Mason Councilman Michael E. Thompson

RE: Appointment of Representative(s) to 911 Executive
Board

The attached is submitted with my concurrence for
your action.

TERRY J. McKANE,

Mayor

Received and placed on file.

DATE: 1/31/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Michigan Vegetable Council, Inc.

RE: Vegetable Convention at Civic Center

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor

Received and placed on file.

February 1, 1985

Council President Charles Creamer and
Lansing City Councilmembers

Dear Council President Creamer and Councilmembers:

As you remember, you and I have been very concerned about the prostitution problem in this City for several years. In a letter to you in late 1983, I informed you that I was creating a Diversion Program devoted to assisting various non-profit agencies throughout the community. A first-time offender is allowed to work forty hours and pay a \$300 fine rather than face a trial and possible jail sentence. If the person stays out of trouble throughout the probationary period, then that individual does not have that particular charge put on his or her record. Only one or two people have been arrested for a second offense.

This has been a tremendously successful program, as I am sure you have already learned from my monthly reports which I give to you at the end of your Council meetings. Over five hundred people have gone, or are going, through the Diversion Program so far. They have contributed 2,400 hours of volunteer labor and have paid fines totalling \$62,000. This has more than paid the costs of running the program. The agencies are grateful for the assistance, and the first-time offenders are grateful for an opportunity to preserve their clean records. A few volunteers have continued helping the agencies to which they were assigned just because they enjoy the work and feel good about themselves.

This Diversion Program has served Lansing well in at least two other areas. First, Chief Gleason reports that the program reduces drastically the amount of time spent by police officers in court, thereby cutting the amount of overtime paid to our officers. Secondly, our District Judges report that this program has provided a great deal of relief to their court dockets and allows them to spend the time on other cases.

You might be interested in knowing that we are the second city in Michigan to have a Diversion Program, Flint being first; however, we are the only city in Michigan to have a city-administered program, because Flint merely contracts with their county to provide the service.

Using my administrative prerogatives and believing that I also have sufficient Council policy direction, I have decided to expand the Diversion Program beyond the parameters of the Solicitation Ordinance to include additional offenses, such as general disorderly, drunk and disorderly, trespassing on private property, non-physical or verbal assault, to mention a few.

I have directed the City Attorney's Office, the Police Department, the Finance Department, and the Human Resources Department to prepare for my approval the

administrative guidelines for this program expansion.

As soon as I have reviewed and approved the new rules I shall be glad to provide them to you for your information. I shall also be happy to give you monthly reports on this enlarged Diversion Program. I thank you for your continued support in this important area of concern.

Best personal regards,

TERRY J. McKANE,
Mayor

Received and placed on file.

RESOLUTIONS

By GENERAL SERVICES COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department, determined that the building located at 428 W. Lenawee, Lansing, Michigan legally described as: 3301-16-354-071-2, W 1/3 of Lot 7, Block 139, Original Plat was an unsafe or dangerous building as defined in Section 9-A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Officer on October 11, 1984, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on November 19, 1984 to review the findings and order of the hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution; and

Be It Further Resolved, that should the owner fail to substantially comply with the Hearing Officer's order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

Be It Further Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Finally Resolved, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By HUMAN SERVICES AND INTERGOVERNMENTAL RELATIONS—

Resolved by the City Council of the City of Lansing:

That the Committee on Human Services and Intergovernmental Relations hereby approves the appointment of Versel Case, Jr. to the Senior Citizens Board as recommended by the Mayor. Mr. Cases' term to end June of 1986.

Adopted by the following vote:

Unanimously.

By HUMAN SERVICES AND INTERGOVERNMENTAL RELATIONS—

Resolved by the City Council of the City of Lansing:

That the Committee on Human Services and Intergovernmental Relations hereby approves the appointment of Mr. Lee A. Canady to the Human Relations Board as recommended by the Mayor. Mr. Canady's term to end June of 1986.

Adopted by the following vote:

Unanimously.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District CRD-15-84, proposed by John A. and George J. Petroff for 121-3-5 and 127 W. Washtenaw street and more particularly described as:

The West 109 feet of Lot 12 and the West 109 feet of North 43 feet of Lot 11, Block 128, Original Plat, City of Lansing.

Now, Therefore, Be It Resolved, that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District; and

Be It Further Resolved, that such hearing be held at the Council Chambers in the City Hall on the 25th day of February, 1985, at 7:00 p.m., and that notice of such hearing be published in a publication of general circulation in said City.

Adopted by the following vote:

Unanimously.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-15-84, on property at 521-527 North Capitol Avenue; and

Whereas, the Gentilozzi Real Estate and Management Company has applied for a Commercial Facilities Exemption Certificate for construction of a new facility at 521-527 North Capitol Avenue; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on the Gentilozzi Real Estate and Management Company's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved, that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the

Certificate; and

Be It Further Resolved, that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-15-84; and

Be It Finally Resolved, that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, February 25, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$1,460.00 from Central Garage Repair Parts—Fire	A/C 101-222-212-781
\$1,460.00 to Special Vehicle Equipment	A/C 101-222-006-985

\$113,340.00 from Fire Suppression Equipment	A/C 101-339-000-977
\$113,340.00 to Fire Suppression Equipment Rental	A/C 101-339-000-943

\$25,000.00 from Reserve for Legal Claims—Deductible & Liabilities	A/C 101-941-000-912
\$25,000.00 to Claims	A/C 101-930-000-963

\$59,800.00 from Reserve for Contingency Room	A/C 101-941-000-963
\$59,800.00 to East-Side Community	A/C 101-936-075-076

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director

Approved:

JAMES F. BLAIR,
TONY BENAVIDES,
Ways and Means Committee

By COUNCILMAN BLAIR—

That the transfers be approved with the exception that the one in the amount of \$1,460.00 from Central Garage Repair Parts—Fire to \$1,460.00 to Special Vehicle Equipment be returned to the Committee on Ways and Means.

Carried.

The balance of the transfers were adopted by the following vote:

Unanimously.

ORDINANCES

By COUNCILMAN BLAIR—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by adding Section 16-3.1 to provide for the storage upon and removal of refuse from Commercial Properties and recommended that the ordinance be passed.

By COUNCILMAN BLAIR—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by

adding Section 16-3.1 to provide for the storage upon and removal of refuse from Commercial Properties be placed on order of immediate passage.

By COUNCILMAN BLAIR—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by adding Section 16-3.1 to provide for the storage upon and removal of refuse from Commercial Properties be now passed.

By COUNCILMAN BLAIR—

That this Ordinance be amended on page 1—Line 21 to delete the words TWO (2) FAMILY.

Carried.

The Ordinance as amended was adopted by the following vote:

Yeas: Councilmen Adado, Belen, Benavides, Blair, Creamer, Worthington—6.

Nays: Councilman Schmidt—1.

ORDINANCE NO. 690

An Ordinance to amend Chapter 16 of the Code of Ordinances of Lansing, Michigan, by adding Section 16-3.1 to provide for the storage upon and removal of refuse from commercial properties and exceptions for recycling and donation to various agencies.

The city of Lansing Ordains:

Section 1. That Chapter 16 of the Code of Ordinances of the City of Lansing, Michigan is hereby amended by adding a new Section to be numbered 16-3.1 to read as follows:

Sec. 16-3.1. Storage and Removal of Refuse.

A) It shall be unlawful for the owner or occupant of any real property zoned for or being used for office, commercial, two (2) family, multiple dwelling or efficiency dwelling purposes to allow or permit the accumulation of refuse, trash, garbage, scrap paper or other debris upon such property for a period of more than fourteen (14) calendar days whether stored in proper containers as defined in subsection (B) of this section, or not.

B) It shall be unlawful for the owner or occupant of any real property zoned or being used for office, commercial, multiple dwelling or efficiency uses to accumulate any refuse, trash, garbage, scrap paper or debris on said property for any period of time unless such material shall be stored in proper containers which containers in order to be deemed proper shall be of rigid construction, shall have covers which shall be closed at all times to prevent the escape of such materials and shall be located insofar as is possible, in a location upon the premises which is inconspicuous and away from streets and other public places and shall be constructed and located in a manner not readily accessible to animals, children or the elements.

C) Subsection (A) and (B) of this section shall not be applicable where the purpose of the accumulation of refuse, trash, garbage, scrap paper or other debris is for recycling or donation to various non-profit agencies of non-profit organizations and is stored in a container sponsored by a non-profit agency or non-profit organization.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30)

days from its passage unless given immediate effect by City Council.

Section 4. This ordinance shall expire ten (10) years from the date of its adoption unless readopted by City Council.

By COUNCILMAN BLAIR, WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

By COUNCILMAN BLAIR—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

\$500.00 from Parks & Rec.—Community Activities & Aquatics—Wages Temp. A/C 101-728-500-707
\$500.00 to Parks & Rec.—Special Recr. & Cultural Arts Misc. & Op. Exp. A/C 101-729-500-741

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the request of G.E.M., Inc. for transfer ownership of 1984 Class C Licensed business located at 908-190 W. Saginaw from Marden Corporation is hereby approved, providing all administrative actions are completed without objection.

Adopted by the following vote:

Unanimously.

REMARKS BY THE MAYOR

Diversion Report

Request for Crossing Guard volunteers.

By COUNCILMAN BENAVIDES—

I move that the Diversion Report be sent to the Committee on Public Properties and Safety from this time forward for study.

Carried.

REMARKS BY THE CITY COUNCIL

By COUNCILMAN SCHMIDT—

Resolved by the City Council of the City of Lansing:

That Councilman Lindemann be excused from the session.

Carried.

Marvin Stump, Retired Firefighter, spoke regarding fire protection for East side of Lansing.

Miss Johnson spoke with kind word for the Mayor.

Bob Halmick, representing the Greater Lansing

Children's Fund of 1003½ Clark St., made an appeal for help in finding a building for skating parties for the children represented by this organization.

Don Hopkins, 1015 Climax, spoke requesting information on how to cope with the rash of break-ins he has had with rental properties and his own property.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:30 P.M.

RITA BAUMAN,
City Clerk

February 4, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

48

Proceedings, February 11, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

February 11, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Schmidt.

Pledge of allegiance.

By COUNCILMAN BENAVIDES—

That the council proceedings of January 14, 1985 be approved.

Carried.

**HEARING ON PROPOSED CHANGE IN
ZONING CLASSIFICATION**

February 11, 1985 at 7:00 o'clock p.m. being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by City Council on March 7, 1983 said proposed amendment being as follows:

That the property described as: Z-28-84—5632/5700 South Logan Street, to be rezoned from "A-1" Residential to "F" Commercial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment.

Referred to the Committee on Physical Development.

**HEARING ON PROPOSED CHANGE IN
ZONING CLASSIFICATION**

February 11, 1985 at 7:00 o'clock p.m. being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by City Council on March 7, 1983 said proposed amendment being as follows:

That the property described as: Z-30-84—3012 North East Street to be rezoned from "F" Commercial and "J" Parking Districts to "F" Commercial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment.

Referred to the Committee on Physical Development.

**HEARING ON PROPOSED CHANGE IN
ZONING CLASSIFICATION**

February 11, 1985 at 7:00 o'clock p.m. being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by City Council on March 7, 1983 said proposed amendment being as follows:

That the property described as: Z-31-84—2423 South Cedar and 515 Lincoln Avenue to be rezoned from "F" Commercial and "J" Parking Districts to "H" Light Industrial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment.

Referred to the Committee on Physical Development.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

Mechanical Amusement Device—Stobers Cocktails Auctioneer—J.L. Lopczyk

Referred to the Committee on General Services.

The following claims have been filed:

Rose Stackable and Daisy V. Bennett for ambulance fees due to Fire Department ambulance not being available.

Michigan Mutual Insurance Co., representing insurance carrier for Thomas and Laura Kwant, requesting reimbursement of claim paid for paint damage to their automobile while parked on a city street.

Referred to Mayor, City Attorney.

The following petitions have been filed for rezoning:

Z-4-85—902, 908, 91, 912, East Oakland Avenue from "C-2" Family District to "G-2" Wholesale District.

Z-5-85—Lots #3 and 6, Block No. 199, Original Plat, City of Lansing, Ingham County, Michigan from "DM" Multiple Residential District to "J" Parking District—112 Hazel St. and 1018 Grand Street.

Referred to Mayor and Planning Board.

Letter of thanks from residents of Boettcher Ct. for time, patience and consideration spent on the rezoning of property at 1617 E. Jolly Rd.

Received and placed on file.

Applications filed for Commercial Redevelopment District by:

Jonathon R. White, representing Lanoco Development, for property at 1923 E. Michigan Avenue and 109 N. Clemens St.

Ronald D. Reed, representing Richard J. Mooney, for property at 601 West Saginaw Street.

Cherry St. Investments for property at 419 Cherry St.

Referred to the Mayor and the Committee on Economic Development.

Capital Area Transportation Authority submits letter amending their Articles of Incorporation.

Received and placed on file with copy to the Committee of the Whole.

Letter from Attorney Joseph D. Reid requesting action on the report "Re-defining and Re-building Downtown Lansing: A Cooperative Process."

Referred to the Committee on Public Property and Safety.

The River Forest Neighborhood Association submits a letter regarding the cost-of-service study of Sewer Task Force.

Received and placed on file.

Letter from South Lansing residents regarding the brush clean-up program.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Mayor commented on his letter 3a—the Five Year Recreation Plan and also on Communication #9 relative to the letter from the South Lansing residents regarding the brush clean-up program. He stated that the clean-up program had been put on hold due to weather condition but it would resume as soon as possible.

REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following Licenses and Bonds:

Mechanical Amusement Device—Stober's Cocktails
Auctioneer License—J.L. Lepczyk

Signed:

SIDNEY P. WORTHINGTON,
ALFREDA SCHMIDT,
CHARLES M. CREAMER,
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON GENERAL SERVICES—

To whom was referred the 1984-85 application for renewal of the Billiards License from the Hall of Fame Billiards, 2510 South Cedar Street, reports as follows:

The Committee has reviewed a letter from the Chief of Police to the owner of the pool hall listing past problems and giving notice that improvements must be made. The Committee recommends approval of the current year license, but will recommend denial of the 1985-86 license if the Chief of Police reports lack of compliance with his directives.

Signed:

SIDNEY P. WORTHINGTON,
ALFREDA SCHMIDT,
CHARLES M. CREAMER,
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

February 6, 1985

President Charles Creamer
and Members of City Council

Re: Claim of Anita McClelland

Dear President Creamer
and Members of City Council:

Claimant filed a claim for compensation for injuries received as a result of a fall on the sidewalk in front of 508 S. Mifflin Street in the City of Lansing.

Claimant states that she fell in the vicinity of 508 S. Mifflin because of an uneven sidewalk condition which caused her to lose her balance. She claims injury to her hands, right knee, foot and ankle. She received treatment at Sparrow Hospital's emergency room for contusions and sprain to her right foot. The cost of the treatment was \$143.00 and the physician indicated a work loss of four to five days. In addition, correspondence received from the claimant indicates that she lost two (2) weeks employment and that the pain continues.

Due to the nature of the claimant's injuries, this matter has been referred to the City's insurance carrier by this office.

Therefore, no further action need be taken by City Council.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and no action need be taken by the City Council and this be received and placed on file.

Carried.

February 7, 1985

President Charles Creamer
and Members of City Council

Re: Claim of Margaret Ryan in the amount of \$31.30

Dear President Creamer
and Members of City Council:

On October 22, 1984 Lansing City Council recieved a claim from Margaret Ryan, 2912 Risdale, for a plumbing bill in the amount of \$31.30. Mrs. Ryan states that on July 5, 1984 a sewer backed up into the basement of her home. Before discovering the plug existed in the City's sewer main, Mrs. Ryan called J&A Drain Cleaners and incurred \$31.30 in labor charges. Once the source of the problem was discovered, the Public Service Department was called and a little more than an hour later, a City crew had cleaned the sewer main.

Michigan law immunizes municipalities from tort liability where the municipality is engaged in the exercise and discharge of a governmental function, MCLA 691.1407; MSA 3.996(107). In *Ross v Consumers Power, Mich*, 1985 (on rehearing) (No. 64241) the Michigan Supreme Court adopted an expanded definition of activities which are governmental in nature and thus are protected by governmental immunity. The Michigan Supreme Court concluded that "a governmental function is an activity which is expressly or implicitly mandated or authorized by constitution, statute or other law." Section 8-301 of the 1978 Lansing City Charter provides that the City shall have all power granted by law to, inter alia, maintain and repair public utilities within its corporate limits. Thus, it is clear that the specific activity engaged in is expressly authorized by both state statute and City Charter.

Based upon the above quoted facts and law, it is the recommendation of this office that the claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

February 7, 1985

President Charles Creamer
and Members of City Council

Re: Claim of Lucille Smith in the amount of \$100.00

Dear President Creamer
and Members of City Council:

Claimant seeks reimbursement for damages she incurred to basement carpeting following a sewer backup on December 21, 1984. She claims the main sewer line was clogged and that the Board of Water and Light "jetted" it to relieve the problem. In the meantime, however, she had to dispose of \$100.00 worth of carpeting.

Information furnished to this office by the Public Service Department indicates that the Public Service Department did not receive any complaints on December 21, 1984 about sewer problems. The City did receive a complaint on December 14, 1984, however, at which time an inspector found a problem in the service lead to the claimant's home, and not in the main sewer line. Further, Public Service investigation revealed no other sewer problems in the area of 5831 Schafer during that time period.

It appears that the property owner is responsible for

damaged alleged because they resulted from the service lead and not the City main sewer line. State statute immunizes municipalities from tort liability where the municipality is engaged in the exercise and discharge of a governmental function, MCLA 691.1407; MSA 3.996(107). In *Ross v Consumers Power, Mich*, 1985 (on rehearing) (No. 64241) the Michigan Supreme Court adopted an expanded definition of activities which are governmental in nature and thus are protected by governmental immunity. The Michigan Supreme Court concluded that "a governmental function is an activity which is expressly or implicitly mandated or authorized by constitution, statute or other law." Section 8-301 of the 1978 Lansing City Charter provides that the City shall have all power granted by law to, inter alia, maintain and repair public utilities within its corporate limits. Thus, it is clear that the specific activity engaged in is expressly authorized by both state statute and City Charter. In addition, it is clear that the damages resulted from the service lead and not the City main sewer line.

Based upon the aforementioned facts and law, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

February 7, 1985

President Charles Creamer
and Members of City Council

Re: Claim of Wendy Holforty in the amount of \$163.20

Dear President Creamer
and Members of City Council:

On December 11, 1984, Wendy Holforty submitted a claim for damage to her van in the amount of \$163.20. Claimant states that her van was damaged on September 28, 1984, while exiting the Grand Avenue parking ramp. Claimant indicates that she entered the parking ramp via the Ionia Street entrance. Claimant states that there were no signs posted indicating the clearance height. Further, claimant states that the parking attendant did not warn her that she might have a problem exiting as he had seen numerous vehicles drive into the top of the Ottawa Street exit. Information received from the claimant's insurance agent indicates that the claimant has \$100 deductible.

Information received from David Berridge, Transportation Engineer, indicates that the Ionia Street exit does have a clearance sign posted. The posted clearance is 6'7". Mr. Berridge indicates that the parking facility does have reserved spaces and an exit provided for over-height vehicles. In fact, the Grand Avenue exit has a clearance of over 14 feet.

It appears in this particular case that no negligence existed on the part of the City. The Ionia Street entrance is posted as to height clearance limits. The City does provide both parking spaces and an exit for over-height vehicles. In addition, the parking attendant did warn the claimant upon her entering the parking ramp regarding the potential height problem.

Therefore, based upon the aforementioned facts, it is the recommendation of this office that this claim should be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

February 7, 1985

President Charles Creamer
and Members of City Council

Re: Claim of Georgie M. Jaeger in the amount of \$50.00

Dear President Creamer
and Members of City Council:

On October 22, 1984, claimant filed with the City a claim in the amount of \$50.00 for a plumbing bill incurred by the claimant as a result of sewage backup in the basement of her home at 1217 Boynton Drive. Claimant states that as a result of sewage backed up in her basement, she called a plumber. The plumber could not locate any problem and the claimant later discovered that the backup was due to the flushing of the main sewers on Boynton Drive by City crews.

Investigation by the Public Service Department reveals that on September 25, 1984 sewer cleaning activity was being performed in the area of Boynton and Gould Streets. The sewer cleaning crews utilized standard procedures in identifying and removing a blockage in the main sewer system. However, apparently due to the pressure in the system, sewage backed up into the claimant's residence.

Generally, a governmental unit is immune from liability for negligence. See MCLA 691.1407. In *Ross v Consumers Power Co.*, Mich, 1985 (on rehearing) (No. 64241) the Michigan Supreme Court adopted an expanded definition of activities which are governmental in nature and thus are protected by governmental immunity. The Michigan Supreme Court concluded that "a governmental function is an activity which is expressly or implicitly mandated or authorized by constitution, statute or other law." Section 8-301 of the 1978 Lansing City Charter provides that the City shall have all power granted by law to, inter alia, maintain and repair public utilities within its corporate limits. Thus, it is clear that the specific activity engaged in is expressly authorized by both state statute and City Charter.

Based upon the aforementioned facts and law of governmental immunity, it is the opinion of this Department that on a strictly legal basis no liability exists on the part of the City and therefore recommends against payment of this claim. Nevertheless, it should be noted that it is the recommendation of the Public Service Department that the claim be paid in the amount of \$50.00.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of \$50.00 payable to Georgie M. Jaeger.

Carried.

The Finance Department submits City of Lansing 1984 Comprehensive Annual Financial Report for Fiscal Year ended June 30, 1984 (booklet form).

Referred to the Committee on Ways and Means.

DATE: 2/7/85

TO: Council President Charles Creamer and
City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Parks Director

RE: Five Year Recreation Plan

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. MCKANE,
Mayor

Referred to the Committee on Public Property and
Safety.

DATE: 2/6/85

TO: Council President Charles Creamer and
City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning & Municipal Development Dept.

RE: Electrical, Mechanical and Plumbing Code
Changes

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. MCKANE,
Mayor

Referred to the Committee on General Services.

DATE: 2/6/85

TO: Council President Charles Creamer and
City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Public Service Director

RE: Trash in R.O.W. Removal Assessment for June,
1985 Tax Roll (V-10) \$1,122.38

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. MCKANE,
Mayor

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the Mayor
and said assessment be placed on the June, 1985 tax
roll.

Carried.

DATE: 2/7/85

TO: Council President Charles Creamer and
City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Finance Department

RE: Interim Financial Report Ending 12/31/84

The attached correspondence is submitted for your
information.

TERRY J. MCKANE,
Mayor

Received and placed on file with copy to Committee on Ways and Means for filing.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department, determined that the building located at 1131 West Kalamazoo Street legally described as:

W 49.5 Ft. Lot 91
Assessor's Plat No. 9
3301-17-451-451-5

was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Officers on November 15, 1984 at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on January 28, 1985 to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved, that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building; and

Be It Further Resolved, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within ninety (90) days from the date of this resolution; and

Be It Further Resolved, that should the owner fail to substantially comply with the Hearing Officer's order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

Be It Further Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Finally Resolved, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after the mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By GENERAL SERVICES COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas Kenneth Hough, Harold Hough, John W.

Fitzpatrick, co-partners and legal owners of the property located at 923 East Michigan Avenue, Lansing, Michigan and further described as:

N. 49.5 Ft. of Lots 4 & 5
Block 2, Jerome's Addition

did submit a written request to the Director of Building Safety to demolish and remove a condemned two-family, two-story residential structure located at the above address, and that all costs be applied to the property tax roll.

Now, Therefore, Be It Resolved that the Director of Building Safety is authorized to proceed with demolition and removal of the structure, filling grading and seeding of the site, and that the Purchasing Director is authorized to proceed with obtaining quotations for the work.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Finance Director and the Mayor have recommended changes in the table or organization for the Treasurer/Income Tax Division of the Finance Department; and

Whereas, by administrative action, the department has already consolidated three (3) Investigations Section positions into two (2) positions; and

Whereas, the department has requested Council action to create a new Income Tax Examiner 32 position in the Income Tax Examination Section, which will result in no change in the number of positions in the division, but with a slight increase in classification levels; and

Whereas, the Committee on General Services has reviewed this matter with the Finance Director and will monitor the Treasurer/Income Tax Division to identify further positions for deletion or consolidation;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the creation of a new Income Tax Examiner 32 position in the Treasurer/Income Tax Division of the Finance Department, with the understanding that no additional funds will be required for this position in the current fiscal year.

Much discussion and questions asked.

By Councilman Adado that this resolution be tabled.

Lost by the following vote:

Yeas: Councilmen Adado, Blair—2.

Nays: Councilmen Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—6.

The resolution as presented was adopted by the following vote:

Yeas: Councilmen Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—6.

Nays: Councilmen Adado, Blair—2.

By COMMITTEE OF PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

FCF-6-84
Bedford Home
2521 Bedford Road

Whereas pursuant to Act 28, Public Act of 1977, of the State of Michigan, the Michigan Department of

adults upon the premises commonly known as 2521 Bedford Road, more particularly described as:

Lot 169 Eton Downs Number 1 Subdivision,
City of Lansing, Ingham County, Michigan; and

Whereas upon review of the application notice, the Department of Planning and Municipal Development found that;

1. There are no other similar licensed facilities, existing or proposed, within 1,500 feet of this proposed facility; and
2. Repairs are necessary to bring the home up to minimum building fire codes; and

Whereas the Physical Development Committee of the Council, to whom the report of the Department of Planning and Municipal Development was referred, has reviewed the report and recommends the issuance of a license subject to the following:

1. Certification by the Department of Planning and Municipal Development and the Fire Prevention Bureau that all code required repairs and alterations have been completed.

Now Therefore Be It Resolved that the Council of the City of Lansing hereby recommends the issuance of an adult foster care family home license for the above described premises subject to the following:

1. Certification by the Department of Planning and Municipal Development and the Fire Prevention Bureau that all code required repairs and alterations have been completed.

Be It Further Resolved that the City of Lansing return the application notice to the Michigan Department of Social Services indicating that this proposed facility is located more than 1500 feet from another similar facility, existing or proposed; and

Be It Finally Resolved a copy of this resolution, and copies of the Safety Inspection Report and the report of the Department of Planning and Municipal Development be attached to the notice and returned therewith.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

P-4-79

Final Preliminary Plat
Trappers Cove Subdivision

Whereas Steve Kinder of Edward Rase Realty, Inc. has requested an extension of time for the preliminary plat of Trapper's Cove Subdivision. Under Article III Section 37-8(6) of Chapter 37, Subdivision Regulations, of the code of the City of Lansing; and

Whereas the final preliminary plat of Trapper's Cove Subdivision was approved by City Council on May 21, 1979; and

Whereas two final plats for this subdivision have been recorded since the time of preliminary approval, the last one being November 15, 1981; and

Whereas Section 37-8(6) limits the amount of time the preliminary plat may be kept on record and also indicates that the City Council may allow for extension; and

Whereas the Physical Development Committee has reviewed the request for extension in conjunction with the original preliminary plat and proposed development and has found that there has been no substantial changes proposed and recommends approval of a two year extension;

Now Therefore Be It Resolved that the council of the City of Lansing approves a two (2) year extension of the preliminary plat of Trapper's Cove Subdivision. This extension shall begin February 12, 1985 and terminate on February 12, 1987.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing and the Fraternal Order of Police, Capitol City Lodge #141 Non-Supervisory Division unit have negotiated an agreement concerning Article XXIII *Lateral Transfers* through the collective bargaining process; and

Whereas, the Fraternal Order of Police has ratified this agreement and the Mayor and City Council have reviewed it and concur subject to agreement on the specific contract language.

Now, Therefore, Be It Resolved, that the City Council hereby ratifies this contract subject to agreement on the specific contract language by the City and Union's legal counsel, and

Be It Further Resolved, that administrative transfers from the Wage and Benefit Reserve account to the appropriate salary and fringe benefit accounts to hereby approved.

Adopted by the following vote:

Unanimously.

By COUNCILMEN BELEN, BLAIR, WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

February 11, 1985

President Charles Creamer
and Members of City Council

Re: Bond Counsel - Potter Park Improvement Bonds

Dear President Creamer
and Members of City Council:

To proceed with issuing \$1,500,000 in General Obligation Bonds for the purpose of improving the Potter Park Zoo, it is necessary to retain outside bond counsel.

For that purpose, this office recommends retaining the firm of Dickinson, Wright, Moon, VanDusen and Freeman. The Dickinson, Wright firm has extensive experience in the bonding field, has a local office and is willing to represent the City in this matter for a fee of \$3,500 plus expenses.

As the City is prepared to proceed with the bond issue, your expeditious approval of this matter is requested.

Respectfully submitted,

STEPHEN R. SAWYER
City Attorney

By COUNCILMAN BELEN—

That we concur in the recommendation of the City Attorney and the firm of Dickinson, Wright, Moon,

That we concur in the recommendation of the City Attorney and the firm of Dickinson, Wright, Moon, VanDusen and Freeman be retained.

Carried.

By COUNCILMAN

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

\$10,000 from Reserve for Contingency	A/C 101-941-000-963
\$4,500 to Wages-Hourly	A/C 101-443-000-706
\$5,500 to Equip. Rental	A/C 101-443-000-943

I hereby certify that this is a properly drawn and eligible transfer.

James W. Dowsett
Finance Director

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan providing that the code of ordinances be amended by:

Revising section 9E-6 for the purpose of Eliminating the Contractor Licensing Fee.

Revising sections 9B-2, 9B-3, 9B-4, 9B-5 and deleting sections 9B-6, 9B-6A and 9B-7 for the purpose of eliminating the licensing of Mechanical Contractors by the City of Lansing.

Revising section 9C-5 for the purpose of eliminating the Contractor Licensing Fee.

was introduced by Councilman Worthington, read a first and second time by their title(s) and referred to the Committee on General Services.

By COUNCILMAN WORTHINGTON—

That a public hearing date be set for February 18, 1985 at 7:00 p.m. in the City Council Chambers, 10th floor, City Hall.

Carried.

REMARKS BY THE MAYOR

The Mayor spoke in regard to his directive to Department Heads and said that he would go over the directive at the Cabinet Meeting which will be held on Wednesday.

REMARKS BY THE CITY COUNCIL

Councilman Blair, Lindemann, Benavides and Worthington spoke in regard to the Mayor's directive to the Department Heads.

Councilman Adado spoke in regard to tax abatement.

Councilman Blair spoke in regard to the Drive-In stores.

Mary Haney and Larry Pulk spoke in regard to the Mayor's directive to the Department Heads.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:45 P.M.

RITA BAUMAN,
City Clerk

February 11, 1985

Lansing, Michigan

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, February 18, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

February 18, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Adado.

Pledge of allegiance.

By COUNCILMAN SCHMIDT—

That the council proceedings of January 21, 1985 be approved.

Carried.

PUBLIC HEARING

February 18, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time set as the time for holding a public hearing on the proposed amending by revising sections 9B-2, 9B-3, 9B-4, 9B-5 and deleting sections 9B-6, 9B-6A and 9B-7 for the purpose of eliminating the licensing of Mechanical Contractors by the City of Lansing.

The Council President will announce that if there is anyone present who had any suggestions or objections to make to the proposed amendment they will have the privilege of speaking at this time.

Referred to the Committee on General Services.

PUBLIC HEARING

February 18, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time set as the time for holding a public hearing on the proposed amending by revising section 9C-5 for the purpose of eliminating the Contractor Licensing Fee.

The Council President will announce that if there is anyone present who had any suggestions or objections to make to the proposed amendment they will have the privilege of speaking at this time.

Referred to the Committee on General Services.

PUBLIC HEARING

February 18, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time set as the time for holding a public hearing on the

proposed amending by revising section 9E-6 for the purpose of Eliminating the Contractor Licensing Fee.

The Council President will announce that if there is anyone present who had any suggestions or objections to make to the proposed amendment they will have the privilege of speaking at this time.

Referred to the Committee on General Services.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

The following items were pulled from the agenda:

Committee Report #1 - licenses—bonds
Mayor's letter #2h—Mid-year transfers
Resolution #4B—Snow Removal

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of the Mayor introducing William W. Lane—General manager of Oldsmobile.

Carried.

COMMUNICATIONS AND PETITIONS

Summons filed in Circuit Court by T.A. Gentry Plumbing Supply, Inc. vs State of Michigan, Cooledge Limited Dividend Housing Association Limited Partnership, City of Lansing in regard to construction work done at property—Timberlake North.

Referred to the Mayor and the City Attorney.

Claims filed by:

Marsha L. Conlin for embarrassment and humiliation caused during her arrest.

Alan Hahn for damage to his motorcycle due to road being under repair and not marked.

Referred to the Mayor and the City Attorney.

Request from Dan and Margaret Beard asking that the "Yield Signs" at Donald St. and Everettdale be changed to "Stop Signs."

Referred to the Mayor.

Request from Consumers Power Credit Union asking for a special 24-hour liquor permit for April 13, 1985 at the Michigan National Guard Armory Headquarters at 2500 S. Washington Avenue.

Referred to the Mayor.

Fred White Engineering Co. submits final preliminary plat of Lancen Village South No. 4.

Referred to the Mayor and Planning Board.

Notice from Department of Natural Resources, State of Michigan of permit issued to the Parks and Recreation Department to construct a picnic area along Grand River Water Course.

Received and placed on file.

Notice from Michigan Department of Natural Resources of an application from Richard & Helen Fiser for a permit to reshape and grade property to construct an office building within the flood plain of the Sycamore Creek.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Mayor McKane commented on his letters: 2a—Ice Storm/1985; 2d—2000 block East Michigan Ave.; 2f—Approval of request for funds/Lansing Urban Recreation Trail; 2g—Benchmark Audit.

REPORT OF COMMITTEE

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

To whom was referred the 100 Block Temporary Parking Lot reports as follows:

In reviewing the operation of this lot, the Committee determined opening time in the morning shall be 9:30 instead of 10:00.

Signed:

PAT LINDEMANN,
JAMES BLAIR,
LOUIS F. ADADO,
Committee on Public Properties
and Safety

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

February 13, 1985

President Charles Creamer
and Members of City Council

Re: Claim of Edward C. Murrell in the amount of \$133.00

Dear President Creamer
and Members of City Council:

On December 30, 1984, Josephine Murrell submitted a claim for ambulance service in the amount of \$133.00. Claimant indicates that on Christmas night, December 25, 1984, Edward Murrell, her husband, became very sick, running a temperature of 102°, feeling pain all over his body and finally slumping on the floor and became unable to respond to any assistance she could give him. Claimant dialed 911 for ambulance service. Claimant states that instead of a Lansing Fire Department ambulance, an ambulance from Lansing Mercy Ambulance Service responded to her telephone call.

Information received from Fire Chief Mark Holliday

indicates that Lansing Mercy Ambulance Service was sent out because all the Lansing Fire Department ambulances were out on other calls at the time the claimant called.

Section 4-303.5 of the 1978 Charter of the City of Lansing provides that the Lansing Fire Department shall: "maintain and operate such ambulance, inhalator and other life saving and emergency services as the welfare of the inhabitants of the City may require and as the Council may direct."

Therefore, based upon the above stated facts, the law as stated above and the recommendation of the Fire Chief, it is the recommendation of this office that this claim be granted.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer payable to Edward C. Murrell in the amount of \$133.00.

Carried.

February 13, 1985

President Charles Creamer
and Members of City Council

Re: Claim of Gregory S. Vanek in the amount of \$180.00

Dear President Creamer
and Members of City Council:

On January 9, 1985 Gregory S. Vanek submitted a claim for \$180.00 for towing and storage fees. Claimant states that his Honda Express moped was stolen some time near the end of March, 1984. Claimant filed a stolen vehicle report with the East Lansing Police Department. Claimant states that he was notified on October 30, 1984 by the Lansing Police Department that the stolen moped had been recovered. Claimant states the stolen moped was initially recovered some time in September. Claimant further states that he went to PJ's Towing in the same day the Lansing Police Department contacted him and paid \$150.00 for storage fees and \$30.00 for towing fees. Claimant seeks recovery for the \$180.00 in storage fees incurred.

Information received from the Lansing Police Department indicates that the moped was recovered by Lansing Police Officers on September 11, 1984. The moped was then towed to PJ's Towing Service to be held until the owner claimed the vehicle. The Lansing Police Department contacted the East Lansing Police Department informing them of the recovery of the stolen moped. Evidently, the East Lansing Police Department attempted but could not contact the owner on that particular date. The Lansing Police Department indicates that when they discovered that the moped was still in storage after being there over a month, they contacted the registered owner of the moped directly regarding the moped's recovery.

State statute, MCLA 257.252; MSA 9.1952 provides that:

"A police agency, upon receiving reliable information that any vehicle registered under this Act has been stolen, shall immediately report the theft to the law enforcement information network. Upon receiving information that a vehicle previously reported as stolen has been recovered, the police agency shall immediately report the fact of the recovery to the law enforcement information network."

The Lansing Police Department has adopted a written operations policy to comply with the above mentioned statutory section. The written policy provides that the Lansing Police Department shall contact the police agency that reported the vehicle stolen through the Law Enforcement Information Network. Once the Lansing Police Department has notified the reporting police agency, their statutory and policy obligation ceases. The reporting agency is then under a duty to notify the registered owner of the recovery of the vehicle. Therefore, it appears that in this particular instance the Lansing Police Department fully complied with both statutory and departmental policy directives.

Therefore, based upon the above information and the policy and statute as set forth above, it is the recommendation of this office that this claim be denied.

Respectfully submitted

STEPHEN R. SAWYER
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

February 14, 1985

President Charles Creamer
and Members of City Council

Re: Claim of Michael T. Collins in the amount of \$300.

Dear President Creamer
and Members of City Council:

On October 1, 1984, Michael T. Collins filed this claim for damages to his rental property at 422 W. Lapeer in the amount of \$300. Mr. Collins claims that officers of the Lansing Police Department forcibly entered the premises and in the process damaged the door and door jam.

Information received from the Lansing Police Department reveals that on May 14, 1984 at approximately 9:23 p.m. officers of the Metro Narcotics Squad did enter and search the premises at 422 W. Lapeer Street. Said entry was pursuant to an authorized search warrant. Four suspects were arrested and a quantity of narcotics and narcotics related paraphanelia were confiscated by the officers. One of the occupants was the renter of premises. The officers, prior to entry, identified themselves as police officers and were denied entry. When entry was denied, the door was forcibly opened and the officers gained access to the residence.

Generally, a governmental unit is immune from liability for negligence. See MCLA 691.1407. In *Ross v Consumers Power Co*, Mich (1985) (on rehearing) (No. 64241) the Michigan Supreme Court adopted an expanded definition of activities which are governmental in nature and thus are protected by governmental immunity. The Michigan Supreme Court concluded that "a governmental function is an activity which is expressly or implicitly mandated or authorized by constitution, statute or other law".

MCLA 780.656 states:

"The officer to whom a warrant is directed, or any person assisting him, may break any outer or inner door or window of a house or building, or anything therein, in order to execute the warrant, if, after notice of his authority and purpose, he is refused admittance, or when necessary to liberate himself or any person assisting him in execution of the warrant."

Based upon the aforementioned statute it is clear that police officers may forcibly enter property if they are

executing an authorized search warrant and if, after notice of their authority to enter the property, they are denied entry. In addition, it appears that the police officers in this particular case were executing a validly authorized search warrant. Therefore, no apparent negligence exists on the part of the City even if governmental immunity was not available to the City as a defense.

Based upon the aforementioned facts and the law, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 2/14/85

SUBJECT: Submission of attached correspondence from the Emergency Services Director

RE: Ice Storm of 1985

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane, Mayor

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the Mayor and that the Council initiate the request for financial assistance.

Carried.

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 2/14/85

SUBJECT: Submission of attached correspondence from the Public Service Department

RE: Harton St. Pump Station

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane, Mayor

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the Mayor and request of Granger Construction Co. to work Saturday and Sunday, February 23 and 24, 1985 between the hours of 11:00 p.m. and 7:00 a.m. Sunday be approved.

Carried.

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 2/14/85

SUBJECT: Submission of attached correspondence from the City Controller

RE: Financial Security - Kabe Acres

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane, Mayor

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the Mayor and the release of financial security for Kabe Acres be approved.

Carried.

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 2/12/85

SUBJECT: Submission of attached correspondence from Planning & Municipal Development Department

RE: 2000 Block East Michigan Avenue

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane, Mayor

That this be referred to the Committee on Physical Development for the initiation of a rezoning petition.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, there are an inadequate number of parking spaces in the City Parking Lot #8, and

Whereas, there is a proposal to expand Lot #8 from 30 spaces to 50 spaces, as well as install proper landscaping, fencing and curbing, and

Whereas, the affected businesses and residential property owners have been contacted by staff and a majority are in favor of this action, and

Whereas, the expansion of Lot #8 will enhance the businesses in the 2000 block of East Michigan Avenue, and

Whereas, the proposed expansion of Parking Lot #8 will require the acquisition of two homes, and

Whereas, both of these homes are available for purchase at this time and sufficient funds exist to purchase these two homes.

Now, Therefore, Be It Resolved, that the City Council authorizes the Administration to prepare the appropriate documents and to acquire these two homes located at 117 N. Fairview and 116 N. Clemens for the purpose of expanding City Parking Lot #8.

Adopted by the following vote:

Unanimously.

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 2/6/85

SUBJECT: Submission of attached correspondence from the Finance Department

RE: Transfer of Funds

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane, Mayor

Referred to Committee on Ways and Means.

February 13, 1985

Honorable Council President Charles Creamer and Members of the Lansing City Council

Dear Council President and Members:

The Grants and Program Coordinator has been advised by the Department of Natural Resources that the National Park Service has approved the request for funds for the "Lansing Urban Recreation Trail", or another link in the hiking/biking trail. The total amount of the grant is \$135,200 - City share \$67,600; Federal share \$67,600.

The project engineering plans, specification and contract documents must be reviewed and approved by DNR before the project may begin. The Parks and Recreation Department will proceed with the preparation of such documents when the attached resolution accepting the funds is approved by you.

Thank you for your assistance.

Sincerely,

TERRY J. MCKANE
Mayor

Referred to Committee on Ways and Means

February 14, 1985

Council President Creamer and
Lansing City Council Members
Lansing City Council

Dear President Creamer and Council Members:

Several months ago I directed the Personnel and Training Department to initiate a "Benchmark Audit" of our classification system. I have had an opportunity to review the results of the audit and I am pleased to report that the findings clearly indicate that the City of Lansing's Classification System is functional and provides a reliable and equitable means by which positions can be evaluated and classified.

The Benchmark Audit was a test of our classification system to determine whether or not our system is sound, so that the Job Content Committee could proceed with position reclassification requests. The individuals who participated were randomly selected with the understanding that the results of the audit were not for the purpose of reclassifications of the benchmark participants but rather would be used to determine the overall effectiveness of our classification system. Individuals for whom a change is indicated will be handled through the established process.

The audit involved the review of 43 positions, eight of which were single incumbents and 35 of which were multiple incumbents. Sixteen of the 43 positions evaluated resulted in no change to the existing level. Fifteen of the 43 positions resulted in an increase; eight, one level; five, two levels; and two, three levels. Twelve of the 43 positions resulted in a decrease; eight, one level; two, two levels; and two, three levels. It should be pointed out that in most cases, the increase or decrease in classification levels were attributed to a departmental reorganization which resulted in a shifting of job duties and responsibilities or the result of market consideration.

A total classification study of the planning and Municipal Development Department was also conducted. A total of 36 positions were reviewed, 25 single incumbent positions and 11 multiple incumbent positions. Twenty-four of the positions evaluated resulted in no change to the existing level. Seven of the 36 positions resulted in an increase (affecting a total of 11

employees); four, one level; one, two levels; one, three levels; and one, four levels. Five of the 36 positions resulted in a decrease; two, one level; two, two levels; and one, four levels. It should be noted that, the increase or decrease in classification level can be attributed to the departmental reorganization which resulted in an increase or a decrease to the scope of duties for some positions.

With the successful completion of the Benchmark Audit, and Planning and Municipal Development study the Personnel and Training Department is now in a position to consider and implement reclassification requests for "exempt" employees only. This process may be expanded to include the professional, technical, and clerical employees currently being represented by the Teamsters, at such time as the exclusive bargaining agent for this employee group has been determined. Once this determination has been made, the City will notify the recognized bargaining representative and proceed accordingly.

I trust that you share my concern and commitment for providing a sound mechanism by which our employees can be adequately compensated for the duties and responsibilities they so ably perform in serving our City. For the first time since the initial Hay Study was conducted and implemented, our employees will have access to a classification review and appeal process and can be assured through an open and well documented process that our system is equitable and well maintained.

I have attached copies of the consultants findings for informational purposes only, as these studies do not require Council action.

Sincerely,

TERRY J. MCKANE
Mayor

Received and placed on file

RESOLUTIONS

By HUMAN SERVICES AND INTERGOVERNMENTAL RELATIONS—

Resolved by the City Council of the City of Lansing:

Whereas, Principal James Hengstebeck of Elmhurst School has requested establishment of a "No Stopping, Standing or Parking" restriction on the west side of Pattengill Avenue from Gordon St. to Loraine St. due to significant congestion when parents park there to pick up Elmhurst students, and

Whereas, there is legal parking on the east side of Pattengill across from the school, and safety patrolers help students cross using designated crosswalks; and

Whereas, the Transportation Division staff, the Traffic Board and the Mayor have recommended approval of the request; and

Whereas, the Committee on Human Services and Intergovernmental Relations has reviewed this matter with Mr. Hengstebeck and the Transportation Engineers, and requested that an additional safe pick up/drop off area be identified; and

Whereas, Mr. Hengstebeck stated he will instruct parents to use the south side of Gordon St. just west of Pattengill as an additional pick up/drop off area;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves a change in the parking restriction on the west side of Pattengill Ave. from Gordon St. to Loraine St. from No Parking At Any Time to No Stopping, Standing or Parking At Any Time.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District CRD-2-85, proposed by Lancro Development for 1923 East Michigan Ave. and 109 North Clemens and more particularly described as:

The South 82 feet of Lots 3 and 4 and all of Lots 1 and 2, Plat of Adams Addition, City of Lansing, Ingham and 2, Plat of Adams Addition, City of Lansing, County, Michigan, as recorded in Liber 4 of Plats, page 25, Ingham County Records.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District; and

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 11th day of March 1985, at 7:00 p.m., and that notice of such hearing be published in a publication of general circulation in said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District CRD-4-85, proposed by Cherry Street Investments for 419 Cherry Street and more particularly described as:

The South 82 feet of Lots 3 and 4 and all of Lots 1 and 2, Plat of Adams Addition, City of Lansing, Ingham and 2, Plat of Adams Addition, City of Lansing, County, Michigan, as recorded in Liber 4 of Plats, page 25, Ingham County Records.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District; and

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 11th day of March 1985, at 7:00 p.m., and that notice of such hearing be published in a publication of general circulation in said City.

Adopted by the following vote:

Unanimously.

By COUNCILMEN ADADO AND BELEN—

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on January 7, 1985, Nehi Beverages requested that the City of Lansing establish a Lansing Plant Rehabilitation District IPR-1-85 pursuant to Act 198, 1974, on property located at 1508 N. Grand River Avenue.

Whereas, due notice has been given for a public hearing on the proposed establishment of said District; and

Whereas, at such hearing held on the 4th day of February 1985, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is located at 1508 N. Grand River Avenue, more particularly described as:

That part of Frank L. Dodge Subdivision of parts of Lots 1 and 4 of Townsend Subdivision of parts of Sections 4, 5, 8, and 9, T4N, R2W, City of Lansing, Ingham County, Michigan.

Whereas, a screening and buffering landscape plan is to be developed by the applicant with the Planning and Parks Departments.

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby establishes a Lansing Plant Rehabilitation District IPR-1-85 on the above described property.

Adopted by the following vote:

Unanimously.

By COUNCILMEN ADADO AND BELEN—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Industrial Development District IPR-6-83 in the City of Lansing, pursuant to Public Act 198 of 1974, as amended, at 4200 Collins Road; and

Whereas, Motor Wheel Corporation has submitted an application for an Industrial Facilities Exemption Certificate for new equipment in said Industrial Development District IPR-6-83; and

Whereas, a hearing was held on the Motor Wheel Corporation application for an Exemption Certificate on February 4, 1985, at which time all interested persons had an opportunity to be heard; and

Whereas, Motor Wheel Corporation has met the requirements for said Exemption Certificate as required by Public Act 198 and by the policies of this Council; and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dates 2/13/85 is attached hereto).

Now, Therefore, Be It Further Resolved that the Council of the City of Lansing approves the application from Motor Wheel Corporation for an Exemption Certificate in Lansing Industrial Development District IPR-6-83, to remain in effect concurrent with the length of the leases for the equipment.

Adopted by the following vote:

Unanimously.

By COUNCILMEN ADADO AND BELEN—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Industrial Development District IPR-1-84 in the City of Lansing, pursuant to Public Act 198 of 1974, as amended, at 200 N. Cedar Street; and

Whereas, Wellman Press, Incorporated has submitted an application for an Industrial Facilities Exemption Certificate for new equipment in said Industrial Development District IPR-1-84; and

Whereas, a hearing was held on the Wellman Press application for an Exemption Certificate on February 4, 1985, at which time all interested persons had an opportunity to be heard; and

Whereas, Wellman Press has met the requirements for said Exemption Certificate as required by Public

Act 198 and by the policies of this Council; and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dates 2/13/85 is attached hereto).

Now, Therefore, Be It Further Resolved that the Council of the City of Lansing approves the application from Wellman Press for an Exemption Certificate in Lansing Industrial Development District IPR-1-84, to remain in effect concurrent with the length of the leases for the equipment.

Adopted by the following vote:

Unanimously.

By COUNCILMEN ADADO AND BELEN—

Resolved by the City Council of the City of Lansing:

Whereas, P.A. 198 of 1974, as amended, requires that the legislative body of the governmental unit from which employment would be transferred consequent to completion of a project for which an industrial facilities exemption certificate is sought must consent by resolution to the transfer; and

Whereas, Lee GMC has made application to Delta Township for an industrial facilities exemption certificate; and

Whereas, completion of the facility for which Lee GMC is seeking an industrial facilities exemption certificate will result in a transfer of employment from the City of Lansing, Michigan to Delta Township; and

Whereas, Lee GMC has respectfully requested that the City of Lansing consent to the transfer of employment from the project for which an industrial exemption certificate is sought; and

Whereas, a Reciprocal Consent Agreement exists between the City of Lansing and Delta Township; and

Whereas, Lee GMC has agreed to actively recruit Lansing residents to fill new positions expected to be created in the future.

Now, Therefore, Be It Resolved that this Council approves Lee GMC's request for consent to a transfer of employment pursuant to a project for which an industrial facilities exemption certificate and E.D.C. bonding is sought from the Delta Township.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

Resolved by the City Council of the City of Lansing:

Act-22-84

Aurelius at I-96

Delhi Property

Whereas, National Advertising, 3M Company has made a request to the City of Lansing to purchase excess City property located in Delhi Township adjacent to Aurelius Road and I-96, known as Parcel F; and

Whereas, the property is legally described as:

(D-11-21) Com. in W. line of Sec. 11, at pt. 751.21 ft. N. of W. ¼ Post-E. 1228.45 ft. to W. line of Power Co. R/W-NW'ly along R/W

199.35 ft.-W. 1147.89 ft. to Sec. Line-S. 182.35 ft. to Beg. Sec. 11, T3NR2W-5A. Also, Com. 330.35 ft. N. of W. ¼ Post-E. 1035.98 ft.—N. 420.86-W. 1035.98 ft.—S. 420.86 ft. to Beg. Sec. 11, T3NR2W-10A Delhi Township Ingham County, Michigan; and

Whereas, the request was reviewed by the Planning Board under the provisions of Act 285 of Michigan PA of 1931 as amended, and recommended the offer be rejected; and

Whereas, the Public Properties and Safety Committee reviewed the request and Planning Board's recommendation and recommends the offer of \$4,500 be rejected, and further that the City counter-offer to sell the property at \$10,000;

Now, Therefore, Be It Resolved, that the offer by National Advertising to purchase Parcel F for \$4,500 be rejected; and

Be It Further Resolved that the Mayor submit a counter-offer of \$10,000 to National Advertising for sale of Parcel F.

By COUNCILMAN BLAIR—

That the resolution be amended as follows: and the following be added:

Be It Finally Resolved, that this counter offer will be good until 12:00 noon - February 25, 1985.

Adopted by the following vote:

Unanimously.

By COUNCILMAN LINDEMANN—

That this resolution be further amended as follows:

That in the 4th and 5th paragraphs where the amount reads \$4,500 that the amount be changed to read \$4,550.00.

Adopted by the following vote:

Unanimously.

The resolution as amended was adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, many of our major streets have inadequate parkways between the sidewalk and the curb to accommodate snow from plowing; and

Whereas, the sidewalks along these streets become impassable as the plowed snow spills over from the parkway; and

Whereas, it is imperative that pedestrians be able to move freely and safely on the sidewalks;

Now, Therefore, Be It Resolved the City Council of the City of Lansing hereby directs the Mayor, as a matter of policy, to have the Public Service Department clear sidewalks along major streets within 24 hours of plowing snow from the street surface.

By COUNCILMAN BLAIR—

That this resolution be amended as follows:

That in the last paragraph - 3rd line after the word "streets" the following be added "with inadequate parkways for snow storage"

Adopted by the following vote:

Unanimously.

The resolution as amended was adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

At a regular meeting of the City Council of the City of Lansing, Ingham County, Michigan, held on the 18th day of February, 1985, at 7:00 o'clock p.m., Eastern Standard Time.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington.

Absent: None

RESOLUTION TO AUTHORIZE THE FINANCE DIRECTOR TO FILE A NOTICE OF INTENT TO ISSUE AN OBLIGATION

The following resolution was offered by COUNCILMAN BENAVIDES and seconded by COUNCILMAN BELEN:

Be It Resolved that the Finance Director be authorized to file with the Michigan Department of Treasury, a NOTICE OF INTENT TO ISSUE AN OBLIGATION in connection with the General Obligation Unlimited Tax Park Improvement Bonds, to be issued by the City of Lansing in the principal amount of not to exceed \$1,500.00 and to pay, upon the filing of the notice, the filing fee of \$400.

Adopted: Yeas—Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington.

Nays—none.

STATE OF MICHIGAN }
COUNT OF INGHAM } ss.

I the undersigned, the duly qualified and acting City Clerk of the City of Lansing, Ingham County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council on the 18th day of February, 1985, the original of which is on file in my office.

In Witness Whereof, I have hereunto affixed my official signature this 18th day of February, 1985.

Rita M. Bauman
City Clerk, City of Lansing

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$12,000.00 from Gasoline-Police/Central Garage	A/C 101-222-211-751
\$6,000.00 to Overtime Salary	A/C 101-222-000-708
\$6,000.00 to Overtime Hourly	A/C 101-222-000-79
\$6,00.00 from General Admin.-Insurance	A/C 101-930-000-910
\$6,000.00 to Central Garage Accident Repair-Police	A/C 101-222-211-939
\$1,460.00 from Central Garage Repair Parts-Fire	A/C 101-222-212-781
\$1,460.00 to Special Vehicle Equipment	A/C 101-222-006-985
\$600.00 from District Court Salaries	A/C 760-136-000-702

\$600.00 to
Professional Services A/C 760-136-000-801

I hereby certify that this is a properly drawn and eligible transfer.

James W. Dowsett
Finance Director

Approved:

James Blair
Patrick Lindemann
Tony Benavides

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan providing that the code of ordinances be amended by: revising section 31-176 of the traffic code - Penalties for parking violations.

Was introduced by Councilman Lindemann read a first and second time by its title and referred to the Committee on Public Properties and Safety.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing:

That a public hearing be set for March 11, 1985 at 7:00 p.m. in the City Council Chambers - 10th floor City Hall on amending section 31-176 of the traffic code dealing with penalties for parking violations.

Adopted by the following vote:

Unanimously.

By COUNCILMEN WORTHINGTON, SCHMIDT—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter from Continental Cablevision of Michigan Inc. submitting notice of basic service rate increase.

Received and placed on file

Letter from Henry H. North P.T.A. requesting permission to place two banners on the crosswalk on S. Cedar to advertise our school carnival which will be held on March 8, 1985.

By COUNCILMAN SCHMIDT—

That we concur in the request.

Carrier

REMARKS BY THE MAYOR:

The Mayor made comments on the assessment notices that were sent out.

REMARKS BY THE CITY COUNCIL:

Councilmember Schmidt commented on the fact that former Councilmember William Brenke was in Ingham Medical Hospital - Room 421 - Bed 2 and would appreciate any cards that persons would like to send.

Councilmember Blair made the following comments:

That a Planning Board meeting is scheduled for March 19, 1985 at 7:30 p.m. in the City Council Chambers in regard to the Access Road in Gier Park

Area.

Asked questions on the Mayor's response relative directive of meetings.

Councilman Lindemann commented on condition of property at 217 S. Pennsylvania Avenue - debris and glass on property.

George Sinadinos spoke in regard to many items.

Councilman Schmidt made a motion to extend Mr. Sinadinos time by 2 minutes.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Benavides, Creamer, Schmidt, Worthington—6.

Nays: Councilman Blair—1.

Doug Black thanked Mr. Benavides for having Cooper St. plowed.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:25 P.M.

RITA BAUMAN,
City Clerk

February 18, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

63

Proceedings, February 25, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

February 25, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Benavides.

Pledge of allegiance.

By COUNCILMAN SCHMIDT—

That the council proceedings of January 28, 1985 be approved.

Carried.

PUBLIC HEARING

February 25, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time set as the time for holding a public hearing on the proposed Lansing Commercial Redevelopment District, CRD-1-85, proposed by John A. and George J. Petroff for 121-123-125 and 127 W. Washtenaw Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed district they had the privilege of speaking at this time.

Referred to the Committee on Economic Development

PUBLIC HEARING

February 25, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time set as the time for holding a public hearing on the proposed Commercial Facilities Exemption Certificate for construction of a new facility at 521-527 North Capitol Avenue by Gentilozzi Real Estate and Management Co.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed certificate they had the privilege of speaking at this time.

Referred to the Committee on Economic Development

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, RE-

PORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Tom Gottheimer, 1418 Franklin St., Haslett, spoke on Communication #8, and Resolution #5.

Michael Yales, 719 S. Magnolia, spoke regarding Communication #8.

Zolton Ferency, Attorney, spoke on Communication #8.

COMMUNICATIONS AND PETITIONS

The following applications for licenses and bonds have been filed:

Mechanical Amusement Device: Green Door Lounge, El Azteco, Art's Bar and Grill, Red Rail Inc., Marts, Inc. (Min-A-Mart), Korner Mart, Harley Hotel of Lansing, Howard Johnson's Motor Lodge.

Building Wrecker: Capitol City Construction, Inc., Bierlein Building

Sign Erectors License: VanHouten Signs, Fritz Advertising Co.

Second Hand Dealer: Elderly Instruments, Capitol Discount and Second Hand Store.

Auctioneer: Steven Reeser

Referred to Committee on General Services

The following claims have been filed:

D.C. Schaberg requesting payment for damage incurred by snow plow.

Nancy Galloway for damage to automobile due to hitting a cement block on edge of road that was covered with snow.

Referred to Mayor, City Attorney

Letter from Mrs. Marie Coates in regard to tax bill received for clean-up of property at 3815 Inverary Dr. that had been already paid.

Referred to Mayor

Letter of thanks from Tim E. Tarry commending the Mayor, Council Members and City Employees for a job well done on the snow cleanup.

Received and placed on file

Letter from Janet Pohl in regard to excessive traffic at excessive speed on Lenore Ave. (between Pattengill and Boston Blvd.) also the physical condition that exists at the rear of property located at the corner of Mt. Hope Ave. and Pattengill Ave.

Referred to Mayor and Traffic Board

Letter from Belinda C. Wright requesting stop signs for Otto Park Subd. (Luwanna/Soloman/Champion

Way and Stoneleigh/Solomon).

Referred to Mayor, Traffic Board

Application for an Industrial Facilities Exemption Certificate filed by Buick-Oldsmobile-Cadillac Group, General Motors Corporation for property located at 920 Townsend Street.

Referred to Committee on Economic Development

Letter from the Tenants Resource Center in regard to submitting a proposed project to effectively and quickly resolve maintenance problems for Lansing residents of rental properties.

Referred to Mayor

Capital Area Transportation Authority submits an amended Articles of Incorporation (Article I was inadvertently omitted).

Received and placed on file

Letter from Zolton Ferency, Attorney representing a administrative official employed by the City of Lansing in regard to the Mayor's directive in regard to meetings.

Referred to Mayor, and filed

Michigan Municipal League submits advance registration forms for the 1985 II meeting to be held in Adrian on March 14, 1985.

Received and placed on file

Michigan Department of Natural Resources submits application from Edward Rose Realty, Inc. for work to be done at Trappers Cove Apartments.

Received and placed on file with copy to the Mayor

Michigan Public Service Commission submits notice in the matter of Consumers Power Company's gas cost recovery reconciliation proceeding for the 12-month period ended December 31, 1984.

Received and placed on file

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA:

Mayor's letters 1a (Deferred Compensation Plan); 1c (217 S. Pennsylvania Ave. - Violations); 1d (Resignation from Board of Zoning Appeals); 1h (Mid-Year Transfers); and 1i (Financial Impact - Urban Recreation Trail Grant).

REPORT OF COMMITTEES

The Committee on General Services approves the following licenses and bonds:

Mechanical Amusement Device: Green Door Lounge, El Azteco, Art's Bar and Grill, Red Rail Inc., Marts, Inc. (Min-A-Mart), Korner Mart, Harley Hotel of Lansing, Howard Johnson's Motor Lodge.

Building Wrecker: Capitol City Construction, Inc., Bierlein Building

Sign Erectors License: VanHouten Signs, Fritz Advertising Co.

Second Hand Dealer: Elderly Instruments, Capitol Discount and Second Hand Store.

Auctioneer: Steven Reeser

Sidney Worthington
Alfreda Schmidt
Charles Creamer

Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON GENERAL SERVICES—

To whom was referred the ordinance of the City of Lansing, Michigan that the code of ordinances be amended by revising sections 9B-2, 9B-3, 9B-4, 9B-5 and deleting sections 9B-6, 9B-6A and 9B-7 for the purpose of eliminating the licensing of Mechanical Contractors by the City of Lansing report as follows: That said ordinance be passed.

Sidney Worthington
Alfreda Schmidt
Charles Creamer

Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON GENERAL SERVICES—

To whom was referred the ordinance of the City of Lansing, Michigan that the code of ordinances be amended by revising section 9C-5 for the purpose of eliminating the Contractor Licensing Fee reports as follows: That said ordinance be passed.

Sidney Worthington
Alfreda Schmidt
Charles Creamer

Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON GENERAL SERVICES—

To whom was referred the ordinance of the City of Lansing, Michigan that the code of ordinances be amended by revising Section 9E-6 for the purpose of eliminating the Contractor Licensing Fee reports as follows: that said ordinance be passed.

Sidney Worthington
Alfreda Schmidt
Charles Creamer

Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT—

To whom was referred the rezoning petitions Z-28-84 — 5632/5700 S. Logan St. to be rezoned from "A-1" Residential District to "F" Commercial District. Z-30-84 — 3012 N. East St. to be rezoned from "F" Commercial and "J" Parking District to "F" Commercial District. Z-31-84 — 2423 S. Cedar St. and 515 Lincoln Ave. to be rezoned from "F" Commercial and "J" Parking Districts to "H" Light Industrial District reports as follows: that said rezoning be approved.

Lucile Belen
Charles Creamer
Tony Benavides
Committee on Physical Development

By COUNCILMAN BELEN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

February 21, 1985

City Council President Charles Creamer and
Lansing City Councilmembers
Lansing City Council

Dear President Creamer and Councilmembers:

As you know, the recently settled collective bargaining agreement for the Firefighters requires that we provide a deferred compensation plan as soon as administratively feasible. In addition, several other employee groups have a similar requirement under discussion. Consequently, I am recommending that the City make available to its employees, on a voluntary basis through payroll deduction, a deferred compensation plan to augment the employees' retirement through personal savings. The plan I would propose that the City offer would be similar to ones offered by other state and local governments to their employees.

For ease of plan administration and to control plan cost, I am recommending that the City contract with an independent outside vendor with demonstrated experience managing comprehensive programs of this type. It would be the plan administrator's responsibility to enroll plan participants, provide stewardship of the assets, provide communication services to the employee, and manage the investment portfolio. The cost of these services would be covered by a service fee taken from the investment income. By using an outside vendor the City's costs would be limited to modifying the existing payroll program and altering some payroll forms. Modifications to the payroll program are currently being implemented by the data processing staff.

Ultimately, the City Council will have to formally adopt an IRS approved plan that addresses the rights and responsibilities of the participants under the plan. The purpose of this communication is to make sure that the City Council endorses the concept of deferred compensation before I authorize the selection of a vendor through our purchasing procedures. If City Council supports the deferred compensation concept a vendor will be selected and that vendor will assist the City in the development of an IRS approved deferred compensation plan. In addition, the selected vendor will be required to make a full presentation to the Council prior to the formal adoption of the deferred compensation plan.

Upon adoption, I will recommend that the plan be implemented immediately for all groups covered by the personnel rules and any bargaining units that have negotiated it into their collective bargaining agreements. I will be available, with appropriate members of my staff, to meet with you and discuss the details of the proposed plan. I am requesting that you take action relative to the concept prior to April 1, 1985.

Sincerely,

TERRY J. MCKANE
Mayor

By COUNCILMAN BLAIR—

I move to send this to the Committee of the Whole.

Lost by the following vote:

Yeas: Councilmen Adado, Benavides, Blair, Lindemann—4.

Nays: Councilmen Belen, Creamer, Schmidt, Worthington—4.

Referred to Committee on General Services

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 2/21/85

SUBJECT: Submission of attached correspondence from Purchasing Director

RE: Savings made by buyer in January 1985

The attached correspondence is submitted for your information.

Terry J. McKane, Mayor

Received and placed on file

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 2/20/85

SUBJECT: Submission of attached correspondence from Pamela Fowler

RE: 217 S. Pennsylvania

The attached correspondence is submitted for your information.

Terry J. McKane, Mayor

Received and placed on file

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 2/20/85

SUBJECT: Submission of attached correspondence from Steven J.L. Goforth

RE: Resignation from Board of Zoning Appeals

The attached correspondence is submitted for your information.

Terry J. McKane, Mayor

Received and placed on file

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 2/21/85

SUBJECT: Submission of attached correspondence from Planning and Municipal Development

RE: Z-2-85, Sunset Ave.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane, Mayor

Referred to Committee on Physical Development

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 2/21/85

SUBJECT: Submission of attached correspondence from Planning and Municipal Development

RE: District/Certificate Application Review - Tax Abatement

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane, Mayor

Referred to Committee on Economic Development

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 2/18/85

SUBJECT: Submission of attached correspondence from the Finance Department

RE: Municipal Parking System Financial Statement

The attached correspondence is submitted for your information.

Terry J. McKane, Mayor

Referred to Committee on Ways and Means

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 2/21/85

SUBJECT: Submission of attached correspondence from the Finance Director

RE: Mid-Year Appropriation Transfers

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane, Mayor

Referred to Committee on Ways and Means

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 2/21/85

SUBJECT: Submission of attached correspondence from the Finance Director

RE: Financial Impact - Urban Recreation Trail Grant

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane, Mayor

Referred to Committee on Ways and Means

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, Hugo J. Hufnagel, came to work for the City of Lansing in November of 1957; and

Whereas, Hugo has worked exclusively in the City Treasurer's Office since he started as a cashier during Mayor Crego's administration; and

Whereas, over the years Hugo become familiar with every aspect of the operation, working under John Webb, and Gerry Graves until he was appointed to the

office of City Treasurer himself in April of 1969; and

Whereas, for the past several years his responsibilities have also included the supervision of the City's Income Tax Division; and

Whereas, Hugo Hufnagel's record of service to this community has been exemplary;

Now, Therefore, Be It Resolved on behalf of all the citizens of Lansing we wish Hugo and his wife Alta, and their five children all the best, as Hugo embarks on a long and enjoyable retirement, which is certain to start off right with two months in sunny Florida.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing operates and maintains a system of park areas and recreation programs designed to address the leisure time interests of our community; and

Whereas, such a Park and Recreation system cannot effectively operate in the absence of certain well defined goals and objectives; and

Whereas, such goals should be the result of a study, combined with extensive citizen participation, and be contained in a long range planning document; and

Whereas, the development of such a plan was approved by the Lansing City Council and has now been completed, and has been recommended by the Park Board; and

Whereas, the Plan outlines directions for Park and Recreation services during the period 1985 - 1990;

Now, Therefore, Be It Resolved, the City Council of the Lansing, Michigan approves the Community Recreation Plan, 1985 - 1990 as a planning guide for the development of facilities for the providing of services, and for the operation of the Park and Recreation Department over this five year period.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, neighbors in the area of 119th park and the Marshall Street Armory have expressed concerns regarding the safety of children playing near the curve on Elvin Court where there is no guard rail between the roadway and the playground; and

Whereas, the Committee on Public Properties and Safety has reviewed the situation and determined there is a potential for injury at this location;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby authorizes the installation of wooden bollards around the curve between the park and Elvin Court; and

Be It Further Resolved, the Council requests the Mayor to direct the Department of Parks and Recreation to proceed with this project as soon as possible.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOP-

MENT—

Resolved by the City Council of the City of Lansing:

P-6-84

Lancen Village South #4
Final Preliminary Plat Approval

Whereas Geert D. Mulder and Sons, Incorporated have filed for final preliminary plat approval of Lancen Village South #4 Subdivision; and

Whereas the Planning Department, in accord with the Lansing Subdivision Regulations, has reviewed this request and recommends approval thereof; and

Whereas the Physical Development Committee of the City Council has reviewed the report of the Planning Division and concurs therewith;

Now, Therefore, Be It Resolved that the final preliminary plat of Lancen Village South #4 Subdivision be given approval subject to all of the conditions set forth by the City Council at the time of tentative preliminary plat approval.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Eaton County Road Commission has requested the City of Lansing to participate in the cost for resurfacing Jolly Road from Williams Road to Waverly Road as 25% of the road frontage for this segment of Jolly Road is adjacent to the City of Lansing. The proposed estimated cost participation is as follows:

Windsor Township	25%	\$17,000.00
Delta Township	25%	\$17,000.00
City of Lansing	25%	\$17,000.00
Road Commission	25%	\$17,000.00
		\$68,000.00

Whereas, the Eaton County Road Commission is legally responsible for the routine maintenance and required major improvements for this segment of Jolly Road and receive Act 51 revenues from the Michigan Department of Transportation to fulfill this responsibility.

Whereas, the City of Lansing has not participated in the past for the cost of improvements on other borderline streets adjacent to the City of Lansing which are the responsibility, and under the jurisdiction of other road agencies. The City of Lansing does not have sufficient Act 51 revenues to provide adequate funds for its own needs, and has applied for and received financial loans from MDOT to partially fund the major maintenance needs for the City of Lansing's streets.

Whereas, the Mayor, the Public Service Department Director, and the Committee on Ways and Means does not recommend that the City of Lansing participate in the cost of this project.

Now Therefore Be It Resolved, the Lansing City Council hereby concur with the recommendation, and does not approve entering into an Agreement with the Eaton County Road Commission to participate in cost for this project.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Civic Center Board and the Mayor have recommended a revised standard contract for use between the Lansing Civic Center and caterers; and

Whereas, the proposed standard contract has been reviewed as to form by the City Attorney and examined for auditability by the Internal Audit Staff; and

Whereas, the Committee on Ways and Means has studied the contract and discussed this matter at great length, and recommends approval;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves the attached "Catering Contract" as recommended by the Civic Center Board and the Mayor.

By COUNCILMAN SCHMIDT—

I move that this be referred to the Committee on Ways and Means.

Carried.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Congress is currently reviewing the President's budget and taxation proposals; and

Whereas, these proposals would dramatically alter the capabilities of local units to fund programs by eliminating virtually all federal funding to local units; and

Whereas, many of the local unit activities are a direct result of federal mandate or policy; and

Whereas, local units cannot absorb a shift of the federal budget deficit over them; and

Whereas, local units have already cut back services and programs and raised taxes where necessary to fund basic services; and

Whereas, tax "cuts" that only shift the burden from one level of government to another aren't really cuts;

Now, Therefore, Be It Resolved that the City of Lansing urges its Representatives and Senators to act to ensure that efforts to reduce the federal budget deficit be made equitably across all areas of the budget; and

Be It Further Resolved, that increased above the level of funding necessary to reduce budget deficits be supported by revenue increased at the federal level; and

Be It Finally Resolved that all efforts and support be given to maintaining a viable federal partnership rather than the wholesale elimination of federal funding for domestic programming.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$10,120.1 from General Fund	
Estimated Revenues	A/C 101-000-000-160
\$57,479.87 from Recreation Facilities	
Match	A/C 101-936-414-971
\$67,600.00 to Urban Recreational Trail	A/C 101-936-414-971.7

\$225.00 from Claims-Civic Center	A/C 593-536-000-963
\$225.00 to Bad Debt Expense-Civic Center	A/C 593-536-000-959

I hereby certify that this is a properly drawn and eligible transfer.

James W. Dowsett
Finance Director

Approved:

James Blair
Patrick Lindemann
Tony Benavides

Ways and Means Committee

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Worthington—7.

Nays: Councilman Schmidt—1.

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan providing that the code of ordinances be amended by: revising section 22-44 for the purpose of prohibiting solicitation and/or prostitution in vacant lots and providing for increased penalties for second or third convicted offenders for solicitation and/or prostitution.

Was introduced by Councilman Lindemann read a first and second time by its title and referred to the Committee on Public Properties and Safety.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, March 18, 1985 at 7:00 P.M. in the 10th Floor Chambers of City Council for amending Chapter 22 of the code by revising section 22-44 for the purpose of prohibiting solicitation and/or prostitution in vacant lots and providing for increased penalties for second and third convicted offenders for solicitation and/or prostitution.

Adopted by the following vote:

Unanimously.

ORDINANCES

By COUNCILMAN WORTHINGTON—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by:

Revising sections 9B-2, 9B-3, 9B-4, 9B-5 and deleting sections 9B-6, 9B-6A and 9B-7 for the purpose of eliminating the licensing of Mechanical Contractors by the City of Lansing.

Revising section 9C-5 for the purpose of eliminating the Contractor Licensing Fee.

Revising Section 9E-6 for the purpose of eliminating the Contractor Licensing Fee.

and recommended that the ordinance be passed.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by revising sections 9B-2, 9B-3, 9B-4, 9B-5 and deleting sections 9B-6, 9B-6A and 9B-7 for the purpose of eliminating the licensing of Mechanical Contractors Licensing Fee.

be placed on order of immediate passage.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by revising sections 9B-2, 9B-3, 9B-4, 9B-5 and deleting sections 9B-6, 9B-6A and 9B-7 for the purpose of eliminating the licensing of Mechanical Contractors Licensing Fee.

be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 691

An Ordinance of the City of Lansing, Michigan, providing that Chapter 9B of the Code of Ordinances be amended by revising Sections 9B-2, 9B-3, 9B-4, 9B-5 and deleting Sections 9B-6, 9B-6A and 9B-7 for the purpose of eliminating the licensing of Mechanical Contractors by the City of Lansing.

The City of Lansing Ordains:

Section 1. That Chapter 9B of the Code of Ordinances of the City of Lansing, Michigan be amended by revising Sections 9B-2, 9B-3, 9B-4, 9B-5 and deleting Sections 9B-6, 9B-6A and 9B-7 as follows:

Sec. 9B-2. MECHANICAL BOARD created; composition; appointment; qualifications, terms of members; filling vacancies.

There is hereby created a MECHANICAL BOARD hereinafter known as the board, composed of five (5) members, appointed by the mayor with the advice and consent of the city council. Except as otherwise provided, four (4) members shall be licensed mechanical contractors representing the following groups:

- (1) Residential heating and air conditioning contractors;
- (2) Commercial heating and air conditioning contractors;
- (3) Refrigeration contractors;
- (4) Industrial mechanical contractors.

The fifth such member shall be any resident of the City of Lansing. The mayor, with advice and consent of the city council, may appoint a second unlicensed person to serve on the board when a licensed mechanical contractor is not available. Not more than two (2) unlicensed persons shall serve on the board at the same time. Members shall serve for a term of four (4) years and said term shall commence on July 1st of the calendar year.

All vacancies thereafter are to be filled by the mayor with the advice and consent of the city council. The chief mechanical inspector shall serve as a liaison between the director of building safety and the mechanical board and shall be authorized to attend all meetings in a nonvoting capacity, and shall also serve as board secretary.

Sec. 9B-3. Authority to board generally.

The board shall consider all proposed amendments of this code, promulgated to safeguard the standards of mechanical construction within the City of Lansing and shall submit same to the City Council.

If a vacancy occurs in the office of the chief mechanical inspector, the mechanical board shall submit the name(s) of person(s) to the director of building safety for his consideration. The director of building safety shall then appoint a person to the office of chief mechanical inspector, but he/she may appoint a qualified person whose name was not on the list submitted by the mechanical board. The chief mechanical inspector shall have six (6) years of experience in the mechanical construction industry as a mechanical contractor or

engineer. The chief mechanical inspector shall be licensed as a contractor in one or more of the following categories: (a) hydronic heating and cooling and process pipings, (b) heating, ventilation, and air conditioning equipment, (c) limited service, heating or refrigeration, (d) unlimited service, heating or refrigeration.

The mechanical board shall advise the chief mechanical inspector on all matters pertaining to rules, regulation, and interpretations and applications of the code. Appeals from decisions, rules, regulations and interpretations of the code shall be submitted to the building board of appeals.

Sec. 9B-4. Registration of License.

No person, partnership, association, firm or corporation shall engage in the business of or perform the work of constructing for mechanical work unless the person, partnership, association, firm or corporation has first registered its license with the city Building Safety Division. However, any person employed by and working under the director of a holder of a valid state of Michigan Mechanical Contractor's License, registered in the city, shall not be required to register a license to perform any mechanical work in the city.

The registration forms shall be approved by the board. A licensed mechanical contractor shall be registered with the Building Safety Division only after payment of a fee as established by City Council resolution.

The Building Safety Division shall allow to be registered upon payment of the fee and completion of the registration form, only those persons with a current State of Michigan Mechanical Contractor's License issued by the Michigan Department of Labor.

All registrations with the Building Safety Division shall expire on the same date the State Mechanical License expires.

Sec. 9B-5. Liability Policy.

Every person, firm or corporation engaged in the business of mechanical construction shall file with the city clerk a public liability policy or certificate thereof, insuring such person, firm or corporation against any liability imposed upon such person, firm or corporation arising out of the performance of work carried on by such person, firm or corporation. Such policy or certificate so filed shall provide for the payment to any person injured, or by reason of the death of any one person, to the extent of one hundred thousand dollars (\$100,000.00) for injuries to or death of more than one person, and for property damage in the amount of one hundred thousand dollars (\$100,000.00). Such policy or certificate shall bear an endorsement that the insurance company shall notify the city clerk at least ten (10) days prior to the expiration of such policy whether by cancellation or limitation of term.

Sec. 9B-6. Reserved.

Sec. 9B-7. Reserved.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty days from its passage unless given immediate effect by the City Council.

By COUNCILMAN WORTHINGTON—

I move the effective date of these ordinances be May 1, 1985 to coincide with license procedures of the city.

Carried.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by revising section 9C-5 for the purpose of eliminating the Contractor Licensing fee.

be placed on order of immediate passage.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by revising section 9C-5 for the purpose of eliminating the Contractor Licensing fee.

be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 692

An Ordinance of the City of Lansing, Michigan, providing that Chapter 9B of the Code of Ordinances be amended by revising Section 9C-5 for the purpose of eliminating the Contractor Licensing Fee.

The City of Lansing Ordains:

Section 1. That Chapter 9C of the Code of Ordinances of the City of Lansing, Michigan be amended by revising Section 9C-5 as follows:

Sec. 9C-5. Registration of License.

No person, firm or corporation shall engage in the business of or perform the work of contracting for plumbing unless the person, firm or corporation has first registered its license with the Building Safety Division, nor shall any person, other than a licensed master or journeyman plumber, or plumbing apprentice, who are employed by and working under the director of a holder of a master plumber's license whose business is registered with the City, in any manner undertake to execute any plumbing work.

The registration forms shall be approved by the board. A plumbing business license shall be registered with the Building Safety Division only after payment of a fee as established by City Council resolution. A licensed master plumber shall be registered with the Building Safety Division only after the payment of a fee of one dollar (\$1.00). A licensed journeyman plumber shall be registered with the Building Safety Division only after a payment of a fee of fifty cents (\$.50).

The Building Safety Division shall allow to be registered pursuant to this section only those persons with a current journeyman or master plumbers license issued by the state plumbing board.

All registrations shall expire on the same date the applicable license expires.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty days from its passage unless given immediate effect by the City Council.

By COUNCILMAN WORTHINGTON—

I move the effective date of these ordinances be May 1, 1985 to coincide with license procedures of the city.

Carried.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by

revising section 9E-6 for the purpose of eliminating the Contractor Licensing fee.

be placed on order of immediate passage.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by revising section 9E-6 for the purpose of eliminating the Contractor Licensing fee.

be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 693

An Ordinance of the City of Lansing, Michigan, providing that Chapter 9E of the Code of Ordinances be amended by revising Section 9E-6 for the purpose of eliminating the Contractor Licensing Fee.

The City of Lansing Ordains:

Section 1. That Chapter 9E of the Code of Ordinances of the City of Lansing, Michigan be amended by revising Section 9E-6 as follows:

Sec. 9E-6. Registration of License.

No person, partnership, association, firm or corporation shall engage in the business of or perform the work of electrical contracting unless the person, partnership, association, firm or corporation has first registered their license with the Building Safety Division, nor shall any person, other than a licensed electrical journeyman registered with the city, except a person duly licensed and employed by and working under the director of a holder of an electrical contractor's license registered in the city, in any manner undertake to execute any electrical wiring. Except that no registration shall be required for:

(a) Owners constitutional privilege. Nothing herewith contained shall prohibit any bona fide owner from personally installing in his own home or on his own premises at which he presently resides or is about to reside provided that said owner shall:

(1) Furnish a signed affidavit stating that the work is to be done by himself in accordance with this code in his own home in which he and his family resides, or are about to reside.

(2) Apply for and secure a permit.

(3) Pay the required fees.

(4) Apply for inspections.

(5) Received the approval of the inspector.

Homeowners privileges shall extend to single-family residences only and shall not apply to any residence or structure from which any monetary gain is being received or which is being used for commercial purposes.

(b) The manufacture, including test or repair of new electrical equipment.

(c) Work involved in the operation of signals or the transmission of intelligence by a utility providing that service, but not including A.C. power supply or distribution panels.

(d) Electrical installation or repair for a public utility specifically exempted by this code when performed by employees of said utility.

(e) The installation of elevators or dumbwaiters or the erection of signs but not including the connection to current supply.

(2) The registration shall be approved by the board. A licensed electrical contractor shall be registered with the Building Safety Division only after payment of a fee as established by City Council resolution. A licensed master electrician shall be registered with the Building Safety Division only after the payment of a fee of one dollar (\$2.00).

The Building Safety Division shall allow to be registered pursuant to this section only those persons with a current electrical contractor's license or a master electrician's license issued by the electrical administrative board of the state or an electrical contractor's license issued by any municipality within the State of Michigan having standards for licensing not less than those established by the electrical administrative board of the state.

(4) All registrations shall expire on the date the applicable license expires.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty days from its passage unless given immediate effect by the City Council.

By COUNCILMAN WORTHINGTON—

I move that the effective date of these ordinances be May 1, 1985 to coincide with license procedures of the city.

Carried.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the City Council has amended the Electrical, Mechanical and Plumbing Codes of the City of Lansing by deleting the registration of business fees; and

Whereas, the State of Michigan has established a Mechanical Contractors Licensing Program enabling local units of government to charge a Mechanical Contractor registration fee; and

Whereas, Building, Mechanical and Plumbing fee schedules adopted by Council resolution dated July 18, 1983, must be further modified to provide for investigation fees and fee refunds;

Now, Therefore Be It Resolved, that effective May 1, 1985, the registration fee of a license for State licensed Electrical, Mechanical and Plumbing contractors be fifteen dollars (\$15.00) annually; and

Be It Further Resolved, that an investigation fee for work performed without a permit in addition to a Building, Electrical, Mechanical or Plumbing permit fee shall be collected whether or not a permit is then or subsequently issued; the investigation fee shall be equal to the amount of the permit fee required by this Code; and

Be It Finally Resolved that the Electrical, Mechanical and Plumbing fee schedules adopted by the City Council resolution dated July 18, 1983, be amended by adding the following:

Refund of Fees: Holders of permits upon which work has not been started may make written application for a refund of fees paid for such permits, provided such application is made and attested before a notary public by the same person or corporation who originally applied for such permit or by the estate of such person or receiver of such corporation within six (6) months of the date of issue. Upon verifying the facts in such cases, the director shall refund seventy-five percent (75%) of all fees in excess of five dollars (\$5.00) in such manner as may be directed by the City Controller.

Adopted by the following vote:

Unanimously.

ORDINANCES

By COUNCILMAN BELEN—

The Committee reported that it has considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by: providing for the rezoning of properties located in the City of Lansing, Michigan and for the revision of the district maps adopted by section 36-6 of the Code for properties located at:

Z-28-84—5632/5700 S. Logan St. to be rezoned from "A-1" Residential District to "F" Commercial District. Z-30-84—3012 N. East St. to be rezoned from "F" Commercial and "J" Parking Districts to "F" Commercial District. Z-31-84—2423 S. Cedar St. and 515 Lincoln Avenue to be rezoned from "F" Commercial and "J" Parking Districts to "H" Light Industrial District.

and recommended that the ordinance be passed.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the code for property located at 5632/5700 S. Logan Street to be rezoned from "A" Residential District to "F" Commercial District and "D-1" Professional Office District.

be placed on order of immediate passage.

By COUNCILMAN BELEN

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the code for property located at 5632/5700 S. Logan Street to be rezoned from "A" Residential District to "F" Commercial District and "D-1" Professional Office District.

be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2146

An ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property in the City of Lansing, Michigan, and for the revision of the District Maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing Ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-28-84, 5632/5700 S. Logan Street

Parcel Number: 3305-05-126-041 and 3305-05-126-051

Legal Description: The southeasterly 270 feet lying parallel to South Logan Street of the following described property;

All of Lot 1, except the northeasterly 250 feet and the south 97.9 feet of Lot 2, except the northwesterly 250 feet thereof, Creys Subdivision, City of Lansing, Ingham County, Michigan;

From "A" Residential District to "F" Commercial District and

All of Lot 1, except the northwesterly 250 feet and the south 97.9 feet of Lot 2, except the northwesterly 250 feet thereof, Creys Subdivision, City of Lansing, Ingham County, Michigan;

except the southeasterly 270 feet of the above described property lying parallel to Logan Street;

From "A" Residential District to "D-1" Professional Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the code for property located at 3012 N. East to be rezoned from "F" Commercial District and "J" Parking District to "F" Commercial District.

be placed on order of immediate passage.

By COUNCILMAN BELEN

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the code for property located at 3012 N. East to be rezoned from "F" Commercial District and "J" Parking District to "F" Commercial District.

be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2147

An ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property in the City of Lansing, Michigan, and for the revision of the District Maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing Ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-30-84, 3012 North East Street

Parcel Number: 3301-03-152-001

Legal Description: Lots 7 through 16 inclusive, Elmore M. Hunt Subdivision, T4N, R2W, City of Lansing, Ingham County, Michigan.

From "F" Commercial and "J" Parking to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the code for property located at 2423 S. Cedar St. and 515 Lincoln Ave. to be rezoned from "F" Commercial District and "J" Parking District to "H" Light Industrial District.

be placed on order of immediate passage.

By COUNCILMAN BELEN

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the code for property located at 2423 S. Cedar St. and 515 Lincoln Ave. to be rezoned from "F" Commercial District and "J" Parking District to "H" Light Industrial District.

be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2148

An ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property in the City of Lansing, Michigan, and for the revision of the District Maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing Ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-31-84, 2423 South Cedar and 515 Lincoln Ave.

Parcel Number: 3301-28-284-011 and 3301-28-284-031

Legal Description: The east 38 feet of Lots 8 and 9 and Lot 102, Addmore Subdivision, City of Lansing, Ingham County, Michigan.

From "F" Commercial and "J" Parking District to "H" Light Industrial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan providing that the code of ordinances be amended by: providing for the repeal of Sections 2-1 through 2-9, inclusive, of Chapter 2 for the purpose of the establishment of the Personnel and Training Department and the creation of a Personnel Merit System.

was introduced by Councilman Worthington read a first and second time by its title and referred to the Committee on General Services.

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan providing that the code of ordinances be amended by: adding new sections numbered Section 2-1 through 2-6, inclusive, for the purpose of the establishment of the Personnel and Training Department and a new Article 1A, Section 2-7 through 2-7.4 inclusive, providing for the creation of a Personnel Merit System.

was introduced by Councilman Worthington read a first and second time by its title and referred to the Committee on General Services.

REMARKS BY THE MAYOR:

Personnel Merit System Ordinance

Flooding in the Red Cedar River, Grand River and problems in the Urbandale area.

REMARKS BY THE CITY COUNCIL:

Councilmember Belen urged people to vote on March 4th for the Lansing Community College Election.

Councilmember Adado remarked about city requesting proof of items for City Income Tax filing when the Federal and State do not require it.

Spoke regarding ordinance introduced for stiffer fines for prostitution.

Councilmember Schmidt praised Public Service Workers, Policemen and Firemen, and Emergency Services for work done during the recent storm and flooding problems.

Councilmember Creamer introduced Darcy McConnell, Sexton High School, his assistant for this semester.

Al LeBlanc, 2021 Cumberland Road, representing the River Forest Neighborhood Association spoke regarding the problem with noise at night from Summit Steel operations.

Al Schiebel, 2401 Delta River Road, spoke regarding the noise from Summit Steel Co.

A resident of 1519 Comfort Street spoke regarding the noise problem.

Jay Whitney, 901 Bates Street, spoke in sympathy with the Summit Steel speakers.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:40 P.M.

RITA BAUMAN,
City Clerk

February 25, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

74

Proceedings, March 4, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

March 4, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Schmidt.

Pledge of allegiance.

By COUNCILMAN SCHMIDT—

That the council proceedings of February 4, 1985 be approved.

Carried.

By COUNCILMAN BLAIR—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of an award to be presented to the Mayor from the Consulting Engineer's Council of Michigan by Stephen Wagner.

Carried.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Mayor's letter No. 2f was pulled from the agenda.

Ben Hamilton, 3500 Glasgow Dr., and Mark L. Corn, 3432 Glasgow Dr., spoke regarding City Attorney letter 1d. Both opposed any building on the site.

President Creamer announced this letter would be referred to the Committee of the Whole for further consideration.

George Sinadinos spoke regarding communication #7—Downtown Parking System.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

Second Hand Dealer—Suarez TV and Electronics, Barnard Mfg. Co., Inc.

Building Wreckers and Movers—McNeilly Construction, Inc.

Referred to the Committee on General Services.

Claims filed by:

- a. William H. Mantle, Okemos, MI, for reimbursement of damages caused when a police vehicle crashed into a house he owns at 1204 Hickory St.
- b. Glenna DeJong, 312 S. Clemens St., for reimbursement of towing fees.
- c. Dave Sheets for reimbursement of windows broken in his business at 1814 s. Washington St. by the impact of snow thrown by a city road scraper.
- d. Matthew meighen, 3208 Rayborn Dr. for damages to automobile wheels and tires from hitting a pothole.
3. Gladys Bradford, 120 E. Graham Ave., for automobile tire damaged from hitting a pot hole.

Referred to the Mayor and City Attorney.

Petitions filed for rezoning:

- a. Z-6-85—402 Rockford Rd./401 Lincoln Ave. described as, E. Rockford Rd. Com on S Line Rockford Rd. 139.6 ft. W of W Line S Cedar St., THS 48.32 ft. W 25.4 ft., S 99 ft., W 23 ft., N 147.32 ft., E 57.4 ft. to Beg.; A part of Lot 58 Cedaracre Sub & Sec 28 T4N TZW and, Com on N Line of Lincoln Ave. 132.6 ft. W of W Line S Cedar St. then N 132.4 ft., W 47 ft., N 123.7 ft., E 47 ft. to beg; A part of Lot 58 Cedaracre Sub & Sec 28 T4N RZW to be rezoned from "A" Residential District to "J" Parking District filed by Coscarelli's.

Referred to the Mayor and Planning Board.

- b. Z-7-85—Northwest corner of Cedar St. and Edgewood Blvd., described as, All that part of a parcel of land in Sections 9 and 10, T3N, R2W, City of Lansing, Ingham County, Michigan described as:

Commencing at the Southwest corner of said Section 10; thence North 00°03'22" West, 1422.16 feet; thence North 68°38'48" East, 1532.18 feet to the survey line of Highway US-127; then North 27°58'02" West along said survey line, 2318.37 feet; thence North 85°22'34" West, 71.21 feet to a point on the Southwesterly right of way line of Cedar Street and the point of beginning; thence North 27°58'02" West along said right of way line, 412.09 feet to a point of ending of free access right of way and the point of beginning of limited access right of way; thence North 27°58'02" West, 680.80 feet to a point of ending of limited access and the point of beginning of free access right of way; thence South 62°01'58" West, 60.00 feet; thence South 90°14'18" East, 100.00 feet; thence South 28°13'10" West, 100.00 feet; thence South 56°42'10" West, 78.18 feet; thence South 48°12'29" West, 100.00 feet; thence South 32°29'32" West, 100.00 feet; thence South 16°46'35" West, 100.00 feet; thence South 01°03'38" West,

100.00 feet; thence South 14° 39' 18" East, 100.00 feet; thence South 30° 22' 15" East, 100.00 feet; thence South 46° 05' 12" East, 100.00 feet, thence South 61° 48' 09" East, 100.00 feet; thence South 77° 31' 06" East, 100.00 feet; thence South 85° 22' 34" East, 487.48 feet to the point of beginning, except for a 300 foot wide strip of land lying westerly of, and parallel with the westerly line of Cedar Street, which is currently zoned "F" Commercial.

Part of the Northeast ¼ of Section 9, and the Northwest ¼ of Section 10, T3N, R2W, City of Lansing, Ingham County, Michigan, described as follows:

Parcel A'—Commencing at the East ¼ of said Section 9; thence N 0° 25' 32" W, 1250.51 feet; thence N 62° 01' 58" E, 76.42 feet to the Point of Beginning of Parcel 'A'; Thence n 27° 58' 04" W, 153.43 feet; thence S 85° 22' 36" E, 284.85 feet; thence S 62° 01' 58" W, 270.00 feet to the Point of Beginning.

Parcel B'—Commencing at the East ¼ corner of said Section 9; thence N 0° 25' 32" W, 1250.51 feet; thence N 62° 01' 58" E, 76.42 feet; thence N 27° 58' 04" W, 153.43 feet; thence N 85° 22' 36" W, 202.63 feet; thence N 77° 31' 06" W, 100.00 feet; thence N 61° 48' 11" W, 100.00 feet; thence N 32° 29' 30" E, 100.00 feet; thence N 48° 12' 27" E, 100.00 feet; thence N 56° 42' 08" E, 78.18 feet; thence N 28° 13' 08" E, 100.00 feet; thence N 27° 30' 02" W, 72.39 feet thence N 66° 01' 38" E, 68.16 feet; thence 67.64 feet along a curve to the left, radius 2907.93 feet, chord bearing S 25° 30' 02" E, 67.64 feet; thence S 62° 01' 56" W, 68.20 feet to the Point of Beginning to be rezoned from "DM-1" Multiple Northwest District to "F" Commercial District filed by Fox & Assoc., Inc.

Referred to the Mayor and Planning Board

c. Z-8-85—Vacant lot (no address) east of 709 S. Pennsylvania, Described as, Lot 6, Block 13, Lansing Improvement Company's Addition to the City of Lansing, Ingham County, Michigan, to be rezoned from "C" Residential District to "F" Commercial District filed by Clare and Ann Simon.

Referred to the Mayor and Planning Board.

William H. Carter, Executive Director of the Lansing Area Safety Council, submits letter concerning their activities.

Received and placed on file.

The City of Battle Creek submits copy of resolution urging federal support for funding for Amtrak in the FY 1986 Budget and requesting other cities to join them in petitioning representatives.

Referred to the Mayor.

Notification of National Advertising Company's acceptance of counter-offer submitted by City regarding ACT-22-84—Parcel F—Southeast corner of I-96 and Aurelius Road.

Received and Placed on file with copy to the Mayor (Resolution 1b on the agenda).

George P. Sinadinis submits request to address City Council regarding the Lansing Municipal Parking System.

Received and placed on file with copy to the Mayor.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Mayor's letters 2b (Proclamation—Michigan Women's History Week); 2c (Proposed Industrial Access Rd.—Environmental Assessment); 2d (Down-

town Mall Advisory Board reappointments).

REPORT OF COMMITTEE

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

Second Hand Dealer—Suarez TV and Electronics, Barnard Mfg. Co., Inc.

Building Wreckers and Movers—McNeilly Construction, Inc.

Signed:

SIDNEY P. WORTHINGTON,
CHARLES M. CREAMER,
ALFREDA SCHMIDT,
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

February 27, 1985

President Charles Creamer and
Members of Lansing City Council

Re: Claim of Duane Smith in the amount of \$5.35

Dear President Creamer and
City Council Members:

The Claimant is the proprietor of Martin Bike Shop, 721 West Saginaw. On August 6, 1984, the Claimant's shop was broken, entered and burglarized of several bicycles and other equipment, including a new air pump purchased for \$53.5.

Information from the Lansing Police Department indicates that timely investigation of the crime resulted in recovery of some of the stolen merchandise, including the bike pump on August 6, 1984. The bike pump was not, however, turned into the Quartermaster for tagging and retention in prosecuting the crime. As the Claimant is unable to recover the bike pump, he seeks reimbursement for its replacement value, \$5.35.

Generally, a governmental unit is immune from liability for negligence. See MCLA 691.1407. In *Ross v Consumers Power Co.*, Mich (1985) (on rehearing) (No. 64241), the Michigan Supreme Court adopted an expanded definition of activities which are governmental in nature and thus are protected by government immunity. The Michigan Supreme Court concluded that "a governmental function is an activity which is expressly or implicitly mandated or authorized by constitution, statute or other law." It is clear that the function of the Police Department in tagging in and retaining custody of stolen property to be used in the prosecution of a criminal trial constitutes a governmental function and would fall within the purview of governmental immunity.

Despite the City's defense of governmental immunity in this matter, the Lansing Police Department has conducted an investigation and has recommended that the claim be paid. Therefore, based upon the above facts, applicable law and considerations, it is the recommendation of this office that this Claimant be granted \$5.35 as complete compensation of his claims.

Sincerely,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of \$5.35 payable to Duane Smith.

Carried.

February 28, 1985

President Charles Creamer and
Members of Lansing City Council

Re: Claim of Bruce Behrmann in the amount of \$89.95.

Dear President Creamer and
Members of City Council:

Claimant has submitted this request for reimbursement of the cost to replace a parka damaged when he slipped and fell on ice on the top level of the North Capitol Avenue parking ramp.

Investigation with the Transportation Division of the Public Service Department revealed that no reports of unsafe conditions regarding that location were received from either ramp users or the parking attendant. Work records indicate that Parking System employees applied salt on January 7 and 8, 1985, using normal operational procedures and no unusual conditions were reported by that work crew. The parking facilities are monitored daily beginning at 4:00 a.m. to determine if salt is required.

Investigation reveals no basis for assuming negligence here. Even so, the Michigan Supreme Court recently ruled that an activity authorized by state statute is considered a governmental function for purposes of qualifying for immunity from tort liability under the government tort liability act. *Ross v Consumers Power Co.*, 415 Mich 1 (1982) No. 64241 on rehearing December 28, 1984. Since the Home Rule Cities Act authorizes the City of Lansing to operate and maintain facilities for the storage and parking of vehicles, it is clear that the City is immune from tort liability in this instance.

Based on the above, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

February 28, 1985

President Charles Creamer and
Members of Lansing City Council

Re: Outside Legal Counsel

Dear President Creamer and
Members of City Council:

As you may recall when Mr. Scott Szpara left his position as Deputy Director of Labor Relations for the City of Lansing, Miller, Johnson, Snell & Cummiskey offered to provide his services to complete labor related matters he was working on at the rate of \$30.00 an hour. That rate was calculated to be approximately equivalent of the cost of the City of Lansing employing him.

Although City Council was advised of that arrangement, no specific mention of it was contained in the City Council resolution authorizing the use of Miller,

Johnson, Snell & Cummiskey with regard to certain 312 Arbitrations and other matters. As a result of our failure to refer to it in the resolution, the City Controller's Office requires confirmation by City Council of its authorization to pay the bill for Mr. Szpara's services.

Therefore, this office respectfully requests your approval of payment of the bill for those services.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and authorize the payment of this bill for Mr. Szpara's services.

Carried.

February 28, 1985

President Charles Creamer and
Members of Lansing City Council

Re: Pole Barn at 3438 Glasgow Drive

Dear President Creamer and
Members of City Council:

In the Spring of 1983 the owners of 3438 Glasgow Drive constructed a 24' x 40' garage and storage building in their backyard. Subsequently one of the neighbors filed a complaint with the City Administration alleging that the construction of the garage and storage building violated certain City zoning law provisions.

A review by the City Planning and Municipal Development Department revealed that the garage/storage building had been constructed under a City building permit but that the City building permit had been issued in violation of Section 26-21.2(2)(A)(B) of the City Zoning Code. Evidently, at the time the permit was issued, the Zoning Officer was unaware that there was an existing attached garage on the premises.

When the property owner's son was notified that the structure as it currently existed violated the City Zoning Code, they applied for a variance in order to allow the structure to remain. The Board of Zoning Appeals found that the accessory building represented over development of the site, denied the variance request and required that the accessory building be reduced to a size not to exceed 640 square feet in order to conform to the Zoning Code. The property owner refused, stating that they had expended substantial monies to construct the structure alone. An attempt was made to refer the matter back to the Board of Zoning Appeals again but the property owners were denied. Subsequently, this matter was referred to this office for enforcement of the Zoning Code.

Generally, when a property owner has expended substantial sums of money in reliance upon permits being issued by a municipality, courts are reluctant to require property owners to expend substantial sums of monies to bring the property back into conformance to the Zoning Code. See *J&B v King County*, 669 P2d 468 (1983). In this particular situation, it is clear that the property owner commenced construction after review and issuance of a City building permit. In addition, it is clear that substantial monies were expended by the property owners after issuance of the building permit and before it was discovered that the building violated the Zoning Code.

As a result of discussions between the property owners, this office and the Planning and Municipal Development Department, a tentative settlement was reached. The settlement proposes that the City would:

1. Cut back, modify and reconstruct the present storage building so that it contains only the allowable square footage for such a building permitted under the Lansing Zoning Ordinance.

2. Remove that portion of the concrete floor which is located in the part of the storage building to be removed, and then resurface the existing floor and the driveway adjacent to the storage building, to accommodate the changes being made.

3. Accomplish all necessary landscaping required as a result of this reconstruction project, including the replacement of shrubs, sod and necessary redwood fencing.

4. Reimburse Claimant for that part of the storage building as constructed, but which is now being removed. Based on pro rata allocation of the costs for the initial structure, the Pontzes estimate that \$2,500 worth of the building will be removed in this reconstruction process.

5. Pay all legal expenses which have been incurred by the Pontzes in retaining an attorney on this matter. (Estimate: \$3,200.00).

Based upon bids taken by the Purchasing Department, completion of Items 1 through 3 can be accomplished for the sum of \$10,683.00. Therefore it appears that the total sum of \$16,383.00 would be needed to complete the proposed settlement. Based upon the recommendation of the Department of Planning and Municipal Development and the substantial liability which would occur if this matter proceeded to trial, it is the recommendation of this Department that the proposed settlement be approved as set forth above.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney

Referred to the Committee of the Whole.

PROCLAMATION

Whereas, Women have played many roles in various societies throughout history; and

Whereas, National/ MICHIGAN WOMEN'S HISTORY WEEK is a recognized time during the year for schools and communities to celebrate the lives of women of all races, cultures, ethnic traditions, religious faiths, and ways of life; and

Whereas, Women are honored who have made history by living their lives, whether in ways grandly eloquent or steadfastly ordinary; and

Whereas, Their concern in providing role models to the leaders of tomorrow is exemplary.

Now, Therefore, I, Terry J. McKane, Mayor of the City of Lansing, by the power vested in me, do hereby proclaim March 3-9, 1985, as:

"MICHIGAN WOMEN'S HISTORY WEEK"

in Lansing, and urge all citizens of this community to join with me in acknowledging and applauding the dedication to ideals that Michigan women have demonstrated throughout our history.

Given under my hand and the Seal of the City of Lansing this first day of March in the year of Our Lord one thousand nine hundred and eighty-five.

TERRY J. MCKANE,
Mayor

DATE: 2/27/85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Planning Division

RE: Proposed Industrial Access Road—Environmental
Assessment

The attached correspondence is submitted for your
information.

TERRY J. MCKANE,
Mayor

Received and placed on file.

February 28, 1985

City Council President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and City Councilmembers:

I herewith submit to you for your consideration and confirmation the reappointment of Tom Cathey and David Hayhow to the Downtown Mall Advisory Board. The terms will expire February 1, 1988.

I trust you will give careful consideration to the reappointment of Mr. Cathey and Mr. Hayhow to this important Board.

Best personal regards,

Sincerely,

TERRY J. MCKANE,
Mayor

Referred to the Committee on Public Properties and
Safety.

February 27, 1985

Council President Charles Creamer and
City Councilmembers

Dear President Creamer and City Councilmembers:

The purpose of this letter is to recommend the approval of an agreement with the Lansing Independent Employees Union to settle several grievances. This matter is brought to you for approval because the proposed settlement will alter the Parks and Recreation Departments table or organization and Council policy dictates that such changes receive your formal approval.

Over the past year the Lansing Independent Employees Union has filed several grievances that allege that certain employees in the General Services Section of the Parks and Recreation Department are improperly classified. The investigation by the Labor Relations Department and the Parks and Recreation staff indicates that there is some merit to the Union's arguments. As the size of the work forces have declined, the result has been that separate classifications working side by side have ended up performing the same job duties and responsibilities. Also, when comparing these job duties and responsibilities with others in the City, the existing classifications vary substantially.

The contractual settlement with LIEU provided that an IVA position be established within the work group. To accomplish this, a vacant IIB position was upgraded, resulting in the same number of available positions.

Now as part of these grievance settlements, an employee currently in a IIBB classification will be upgraded to a IVA position. This vacated slot will then be down-graded to a IIIA, and a Laborer IIB position (currently vacant) will be upgraded to a IIIA. In summary, the total number of positions with the Parks

and Recreation Department will not change as a result of this settlement; however, the number of employees in each job classification will change.

The Parks and Recreation Department has indicated that no additional appropriation is necessary to implement this settlement during fiscal year 1984-85.

I feel that this settlement will result in a more efficient use of the work force. As a condition of this settlement, the City and Union will not arbitrate the six grievances concerning this matter. Based on our investigation, we feel that this is a fair and equitable settlement and recommend its approval.

Sincerely,

TERRY J. McKANE,
Mayor

Referred to the Committee on General Services.

DATE: 2/28/85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Finance Department

RE: Transfer of funds

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor

Referred to the Committee on Ways and Means.

RESOLUTIONS

By COUNCILMAN LINDEMANN—

That this resolution be considered from the Committee of the Whole.

Carried.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, Lansing Art Gallery is celebrating its 20th Anniversary of service to the greater Lansing community this year; and

Whereas, In 1965, under the name of Lansing Community Art Gallery a group of dedicated individuals organized a non-profit, educational organization for the purpose of promoting and developing the visual arts in Metropolitan Lansing in an attempt to increase awareness, understanding and appreciation of art; and

Whereas, In 1974, after nine years of exclusively volunteer operation in several locations, the Gallery was able to acquire a CETA grant and hire its first paid Executive Director, Randy Miffland; and

Whereas, Through cooperation between volunteers, supporters and community leaders and an extra measure of just plain hard work, this remarkable group helped raise \$150,000 and in the spring of 1975 the Center for the Arts became a reality and the Gallery had a home;

Now, Therefore, Be It Resolved the City Council of the City of Lansing hereby officially salutes Lansing Art Gallery for 20 years of dedicated attention to the cultural needs of our community; and

Be It Further Resolved on behalf of all Lansing citizens we commend the tireless efforts of Phyllis Adams, Sally White, Sharon Myers and Wendy

Flemming as well as the many wonderful volunteers, and extend our best wishes as you celebrate 20 years of quality programming in the visual arts during the week of May 12th-18th, 1985.

The resolution as amended was adopted by the following vote:

Unanimously.

By COUNCILMEN LINDEMANN, ADADO AND BLAIR—

Resolved by the City Council of the City of Lansing:

Whereas, National Advertising had submitted an offer to purchase a parcel of excess City property (Parcel F) for the sum of (\$4,550.00) Four Thousand Five Hundred and Fifty Dollars; and

Whereas, the City Council directed the Mayor to reject the offer of \$4,550.00 and counter with a selling price of Ten Thousand Dollars (\$10,000.00); and

Whereas, National Advertising was given until 12:00 Noon, February 28th, 1985 to accept or reject the counter-offer by the City; and

Whereas, National Advertising responded to the City of Lansing on the 26th of February agreeing to the (\$10,000) Ten Thousand Dollar purchase price;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby authorizes the sale of Parcel F to National Advertising for the sum of Ten Thousand Dollars (\$10,000.00); and

Be It Further Resolved, the Administration is authorized to prepare all documents necessary to effect the sale.

By COUNCILMAN LINDEMANN—

That this resolution be amended as follows by adding:

"Be It Further Resolved, the income realized from the sale of Parcel F (\$10,000) is to be used exclusively for improvements to eastside park properties."

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the streets Healthcare Court and Alpha Access have been constructed as public streets on right of way acquired by and under the control of the City of Lansing, and

Whereas, it is necessary to furnish certain information to the State of Michigan to place these streets within the City Local Street system for the purpose of obtaining funds under Act 51, P.A. of 1951,

Now, Therefore, Be It Resolved, that:

1. The centerline of said streets is described as:

Healthcare Court

Commencing at the Northwest corner of Lot 1 of Central Warehousing, a subdivision of a part of the S.W. ¼ of Section 27, T4N, R2W, Lansing Township (now City of Lansing), Ingham County, Michigan, thence N 00°24'10" W, 50.00 feet; thence S 89°33'50" W, 90.11 feet to the centerline of Pennsylvania Ave. also being the point of beginning; thence N 89°33'50" E, 500.00 feet; thence 69.83 feet along a curve to the left,

said curve having a radius of 425.53 feet, to the point of ending.

Alpha Access

Commencing at the Northeast corner of Lot 22 of Central Warehousing Subdivision; thence N 00° 24' 10" W, 55.72 feet, to the point of ending of Healthcare Court; thence westerly along the centerline of Healthcare Court, 59.83 feet to the point of beginning; thence S 00° 26' 10" E, 64.00 feet; thence along a curve to the right whose radius is 138.00 feet, 84.30 feet; thence S 34° 33' 50" W, 146.30 feet; thence along a curve to the left, whose radius is 314.46 feet, 191.91 feet to the point of ending, also being on the centerline of Alpha Street.

2. Said streets are public streets and are for public street purposes.

3. Said streets are accepted into the City Local Street System.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the City desires to utilize the services of outside legal counsel for various labor and personnel related matters; and

Whereas, the City has solicited and received proposals from various law firms interested in performing labor and personnel related legal matters for the City; and

Whereas, the City has reviewed the proposals which have been submitted;

Now, Therefore, Be It Resolved, that the Law Department is authorized on behalf of the City of Lansing to retain and utilize the law firms of Miller, Canfield, Paddock & Stone; Dickinson, Wright, Moon, VanDusen and Freeman, and Foster, Swift, Collins & Coey, P.C. to represent the City of Lansing in labor and personnel related matters; and

Be It Further Resolved, that said authorization is contingent upon the availability of funds and compliance with City Council policy requiring a written agreement between the City of Lansing and the outside law firm; and

Be It Further Resolved, that said authorization is contingent upon a prior determination by the City Attorney that the labor and personnel related matter can not or should not be handled by the City Attorney's Office; and

Be It Further Resolved, that the funds to pay for such legal services shall be appropriated to an account in the budget of and under the control of the City Law Department; and

Be It Finally Resolved, that this resolution shall automatically expire two (2) years from the date of its adoption unless repealed earlier by City Council action.

By COUNCILMAN ADADO—

That this resolution be amended by adding under the first "Be It Resolved—the law firm name of Miller, Johnson, Snell and Cumiskey."

Failed by the following vote:

Yeas: Councilmen Adado, Blair, Lindemann, Worthington—4.

Nays: Councilmen Belen, Benavides, Creamer, Schmidt—4.

Much discussion was held.

The resolution was adopted by the following vote:

Yeas: Councilmen Belen, Benavides, Creamer, Lindemann, Schmidt—5.

Nays: Councilmen Adado, Blair, Worthington—3.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, a proposal now pending before the Michigan Legislature calls for construction of a new state library and museum that would also house the state's official archives; and

Whereas, our state library has been confined to a converted warehouse in Lansing for the past 22 years; and

Whereas, our state historical museum has been shifted from one temporary location to another, none of which has had adequate space to accommodate its more than 30,000 historical items of interest; and

Whereas, the construction of a modern state library and museum complex would provide the capitol city with valuable cultural and educational resources that would greatly benefit Michigan school students and citizens in general;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby urges that the Michigan Legislature appropriate the necessary funds for construction and operation of the proposed state library and museum; and

Be It Further Resolved, that copies of this resolution be forwarded to all Lansing area legislators.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

That the Internal Audit Department shall:

(A) Submit an annual work program detailing the department proposed schedule and time allocation for the year to the Council Vice-President by January 15 of each year.

(B) Provide a report the City Council in accordance with Article 3-402.4 of the City Charter by January 1 of each year an analysis of the financial position of the City.

The analysis of the financial position of the city shall consist of an analytical review of the external auditors' annual financial statements indicating the various funds' revenue and expenditure trends, working capital trends, debt burden trends, and the impact of the aforementioned upon fund equity and reserves over the several most recent fiscal years. If the condition of the fund warrants, the report will recommend policy considerations for Council review or action with a view toward maintaining or improving the financial soundness of the fund.

(C) Provide a report to the City Council by May 1st which evaluates the Annual Capitol Improvement Plan of the City of Lansing, in accordance with Article 3-304.4 of the City Charter in relationship to the City's current Capitol Development Plan. In addition, the Internal Auditor shall also evaluate the requirements for preventative maintenance and/or replacement on buildings and equipment. The report shall be made to the Council and the Council's Committee on Ways and Means.

(D) In accordance with Article 3-304.2 make audits of

financial transactions of City agencies at least one a year.

In the release of financial internal audit documents, three specific procedures shall be followed:

1. In cases where there is a significant breach of internal control, adverse audit finding, or asset loss, Internal Audit submits a formal audit to the Council, Mayor, and City Clerk generally after an exit review with the department head and submission to the Council Vice-President, and Council Committee on Ways and Means.
2. Formal comprehensive audits will, however, follow Charter submission requirements regardless of nature of findings.
3. In cases where there are minor policy, control, compliance, or procedural discrepancies and there is no significant loss or damage, Internal Audit will work internally with the division or department involved and propose solutions to the problems.
4. In cases of contract compliance of agencies supported by the City, routine audits are to be made quarterly or semi-annually and be sent automatically to the Controller for financial review, and to Council and Mayor for their review of progress toward service goals. The Vice-President shall make available copies of the audits to any Council Committee upon request.

(E) Provide a program audit of at least four departments or departmental operations annually. Each audit shall be completed on a quarterly basis due on April 1, July 1, October 1, and January 1. The Program Audit shall include the following:

1. Whether the department or division is managing and utilizing its resources (such as personnel, property, space) economically and efficiently, the causes of inefficiencies or uneconomical practices, and whether the department or division has complied with policies concerning matters of economy and efficiency.
2. Whether the desired results or benefits established by the City Council, the Mayor, or the department are being achieved and whether the department or division has considered alternatives that might yield desired results at lower cost.

Program Audits shall be reported to the Council and the Council's Committee on General Services.

(F) Review the City's annual budget and make known to the Council any changes from the previous year and the status of any items specifically budgeted or policies passed by the Council within the budget document for the previous year.

(G) Respond to all information requests by individual Councilmembers and/or Council committees. Responses to individual Councilmembers or committees shall be made directly back to the member or committee requesting the information.

In the instance where the Internal Auditor is requested by an administrative agency for assistance, the Internal Auditor shall refer such requests to the Council Vice-President. The Council Vice-President shall have final approval for all such requests.

The Internal Audit Department shall keep an up-to-date record of time spent by each employee on each area of the work program. The record shall be part of the annual work program submitted to the Council Vice-President, and at any other time at the Vice-President's request.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$1,000.00 from Sick Leave-	
Probation	A/C 101-151-000-711
1,400.00 from Salaries & Longevity-	A/C 101-151-000-702
\$2,400.00 to Misc. & Oper. Exp.-	
Probation	A/C 101-151-000-741
(Increase in caseload & addition of Probation Officer)	
\$2,000.00 from Salaries & Longevity-Law	A/C 101-210-000-702
\$2,000.00 to Misc. & Oper. Expenses-Law	A/C 101-210-000-741
(Increase in Court fees & number of forfeiture & code enforcement actions)	
\$18,810.00 from Equipment-Data Processing	A/C 101-221-000-977
\$18,810.00 to Equipment Rental-Data Proc.	A/C 101-221-000-943
(Funds for equip. lease were inadvertently included in equip. purchase acct.)	
\$8,880.00 from Salaries & Longevity-Data Proc.	A/C 101-221-000-702
\$8,880.00 to Repair & Maint.-Central Garage	A/C 101-221-000-930
(Bring hoist up to safety standards (\$7,500) and repair of tools)	
\$15,822.00 from Reserve for Contingency	A/C 101-941-000-963
\$16,822.00 to Repair Part-Police	A/C 101-222-211-781
(Poor condition of fleet as to age and/or mileage resulted in higher than anticipated costs to keep units repaired & in service)	
\$2,500.00 from Utilities-City Hall	A/C 101-265-002-920
3,000.00 from Utilities-Hazel St. Property Mgt.	A/C 101-265-004-920
2,720.00 from Gasoline-Police-Central Garage	A/C 101-222-211-751
620.00 from Equipment-Data Processing	A/C 101-221-000-977
\$8,840.00 to Gasoline-Fire-Central Garage	A/C 101-222-212-751
(Increased usage of fire gasoline)	
\$3,500.00 from Misc. Expenses	A/C 101-214-001-741
4,000.00 from Repair/Maint.	A/C 101-214-000-930
1,400.00 from Misc. Expenses	A/C 101-221-000-741
3,700.00 from Utilities City Hall	A/C 101-265-001-920
\$12,600.00 to Repair Parts-Other	A/C 101-222-213-781
(Poor condition of fleet as to age and/or mileage results in higher than anticipated costs to keep units repaired & in service)	
\$4,040.00 from Reserve for Contingency	A/C 101-941-000-963
\$3,030.00 to Employee Assistance-Special Wages	A/C 101-226-001-707
(Act. not designed or funded to support a position for an entire year.)	
\$1,000.00 to Safety Equipment-Safety	A/C 101-371-000-745
(Expenditures for Safety Equip. have depleted funds)	
\$35,000.00 from Reserve for Contingency	A/C 101-941-000-963
\$35,000.00 to Professional Services-Labor Rel.	A/C 101-227-000-801**

**May be going to the Law Dept. per the Committee of the Whole Meeting.

(Outside legal services for pending 312 Arbitration)		ment Rental	A/C 101-441-000-943
\$1,000.00 from Salaries & Long.-		(To cover estimated expenditures for equipment rental charges)	
Purchasing	A/C 101-233-000-702	\$2,350.00 from Adm. & Engineering	A/C 101-441-000-702
800.00 from Overtime-Salary-		\$2,350.00 to O&M-Salaries	A/C 101-442-000-702
Purchasing	A/C 101-233-000-708	(To cover cost for New. Asst. O&M Supt. Position)	
\$1,800.00 to Operating Supplies-		\$35,000.00 from Reserve for Contin-	
Purchasing	A/C 101-233-000-740	gency	A/C 101-941-000-963
(Shortage in operating supplies due to cost of buying "Partial		\$15,000.00 to Wages-Hourly-Flood	
Purchase Order" forms & increase in supplies due to large		Control	A/C 101-445-017-706
number of R.F.P.S.)		(To incur estimated expenditures for flood control thru the	
		week ending 3-2-85)	
\$6,180.00 from Salaries & Longevity-		\$5,000.00 to Materials-Flood	
Treas./Income Tax	A/C 101-253-000-702	Control	A/C 101-445-017-782
\$6,180.00 to Misc. & Oper. Exp.	A/C 101-253-000-741	(Same as above)	
(Fed. requirement of governmental units to mail 1099-G's		\$15,000.00 to Equip. Rental-Flood	
made official in May 1984. Current budget does not include		Control	A/C 101-445-017-943
costs of this new item.)		(Same as above)	
\$14,000.00 from Utilities-City Hall-		\$2,000.00 from Potter Zoo-Misc. &	
Prop. Mgt.	A/C 101-265-001-920	Oper. Exp.	A/C 101-719-000-741
\$10,000.00 to Overtime-Hourly-		\$2,000.00 to Rental-Golf Carts	A/C 101-421-000-940
Property Mgt.	A/C 101-265-000-709	(To provide funding to add 10 golf carts for 85 season)	
(Weekend painting of the Central Garage with sick leaves		\$3,500.00 from Estimated Revenue	A/C 101-000-000-160
requiring callbacks to cover shifts has depleted funds)		\$3,500.00 to Misc. & Oper. Exp.-	
\$4,000.00 to Unscheduled Maint.-		Rec. Adm.	A/C 101-725-500-741
Prop. Mgt.	A/C 101-265-002-931	(Funds for March & June editions of Department's "Horizon"	
(Higher than anticipated costs for unscheduled maint. items		tabloid which contains events schedule)	
has depleted funds)		\$ 3,000.00 from Wages-Temp.	
\$2,000.00 from Utilities-W. Sq.		Labor-Special Rec. & Cultural	A/C 101-729-500-707
Annex-Prop. Mgt.	A/C 101-265-002-920	10,000.00 from Wages-Temp. Labor	
\$2,000.00 to Operating Supp-		Community Actv. & Aqua.	A/C 101-728-500-707
Prop. Mgt.	A/C 101-265-000-740	2,000.00 from Wages-Temp. Labor	
(Continue purchase of energy efficient light bulbs & fixtures in		Competitive & Instructional Sports	A/C 101-727-500-707
conjunction with normal costs, which have been higher than		\$15,000.00 to Utilities-Rec.	
anticipated)		Admin.	A/C 101-725-500-920
\$15,000.00 from Salaries-Investiga-		(Funds needed due to increased utility consumption and water	
tion Div.	A/C 101-310-000-702	& sewer rates)	
\$15,000.00 to Overtime-Salary	A/C 101-305-000-708	\$1,400.00 from Equipment-Forestry	
(60% of act. used to pay officers when subpoenaed for court		Div.	A/C 101-781-000-977
appearances & funds are requested to support thru year end)		\$1,400.00 to Overtime-Salary-	
\$2,000.00 from Salaries-Investigation		Forestry Div.	A/C 101-781-000-708
Div.	A/C 101-310-000-702	(Overtime for ice storm has exhausted account. Additional	
\$2,000.00 to Overtime-Civilian	A/C 101-305-000-709	overtime requested to pay for crew.)	
(Civilian overtime exp. have been higher than anticipated due		\$ 262.00 from Sal. & Long.-Labor	
to 2 clerical employees who have been on extended leaves)		Relations	A/C 101-227-000-702
\$1,000.00 from Salaries-Investiga-		3,500.00 from Sal. & Long.-Mayor	A/C 101-171-000-702
tions Div.	A/C 101-310-000-702	263.00 from Sal. & Long. Building	
\$1,000.00 to 911-Civilian Overtime	A/C 101-309-000-709	Safety Div.	A/C 101-860-380-702
(911 has 4 extended Technician vacancies)		2,380.00 from Sal. & Long.-Adm.	
\$13,430.00 from Holiday Pay-Fire	A/C 101-337-000-710	Div.	A/C 101-692-000-702
\$13,430.00 to Adm.-Fire	A/C 101-337-000-702	1,441.00 from Sal. & Investigations	
(Court order back pay for sworn Adm. Assist. VI)		Div.	A/C 101-310-000-702
\$500.00 from Holiday Pay-Fire	A/C 101-337-000-710	3,095.00 from Sal.-Admin. Services	
\$500.00 to Admin.-Fire	A/C 101-337-000-708	Bureau	A/C 101-307-000-702
(Funds depleted—heavier than anticipated need for overtime		4,000.00 from Sal. & Long.-Assessor	A/C 101-209-000-702
in current year)		2,650.00 from Sal. & Long.-Inventory	
\$15,000.00 from Suppression	A/C 101-339-000-702	Control & Warehousing	A/C 101-214-000-702
\$15,000.00 to Utilities-Fire	A/C 101-337-000-708	\$17,591.00 to Temp. Help-Gen.	
(Anticipated need above original appropriation)		Admin.	A/C 101-930-000-707
\$230.00 from Equip.-Emergency		(Where residuals or cost savings were identified funds are	
Services	A/C 101-426-000-977	being transferred from using departments back to Temp. Help)	
\$230.00 to Repair & Maint.-		\$1,620.00 from Estimated Revenues	A/C 101-000-000-160
Emergency Services	A/C 101-426-000-930	\$1,620.00 to Park Acq. & Dev.-	
(Increased phone rates)		Restricted Funds	A/C 101-936-416-974
\$350.00 from Transportation-Sal.		(Transfer money received for Willoughby Road to Park	
& Long.	A/C 101-437-000-702	Acquisition and Development)	
\$350.00 to Christmas Decoration		\$300.00 from Community Dev. Block	
Installation	A/C 101-437-000-881	Grant-Gen. Adm. Transportation	A/C 251-930-010-860
(Cost of removing Christmas decorations)		\$300.00 to Com. Dev. Block	
\$8,750.00 from Aurelius Rd. Land-		Grant-Gen. Adm. Equipment	A/C 251-930-101-977
fill-Prof. Services	A/C 101-526-000-801	(For purchase of a micro-cassette transcriber for use by	
\$8,750.00 to Adm. & Eng.-Equip-		rehabilitation personnel to reduce volume of written	
		paperwork)	

\$6,252.43 from Community Dev.
Block Grant-9th Yr. Contingency (R) A/C 255-941-900-969.1
\$6,353.43 to Com. Dev. Block
Grant-NSA #3 Public Improve-
ments (R) A/C 252-845-907-974
(Act. short when the final figures for the sidewalk construction
came in)

\$20,000.00 from 1969 Storm Sewers
& Drain Bond Fund A/C 401-000-000-390.3
\$20,000.00 to 1969 Storm Sewers
& Drains Bond City Portion Storm
Sewers A/C 401-787-010-974.677
(Fund estimated needs for the remainder of the Fiscal year for
the City share of the costs of storm sewer projects.)

\$25,000.00 from 1969 Storm Sewers
& Drains Bond Fund A/C 401-000-000-390.3
\$25,000.00 to Clemens St. Sewer
Separation A/C 401-787-010-974.676
(Bid for Clemens St. portion of Red Cedar Area Sewer and
Regulator higher than estimated.)

\$1,500.00 from Municipal Cemeteries
Fund-Equip.-Adm. A/C 516-536-000-977
\$1,500.00 to Paid Serv.-Burial &
Special Care-Overtime-hourly A/C 516-537-000-709
(More weekend burials occurring—need for overtime.)

\$25,000.00 from Utilities A/C 590-536-000-920
\$25,000.00 to Clemens St. Sewer
Separation A/C 590-536-501-974
(Cost of construction of storm & sanitary sewers in Clemens.)

\$30,000.00 from Utilities A/C 590-536-000-920
\$30,000.00 to City Portion-Sanitary
Sewers A/C 590-536-608-974
(To cover estimated second six month expenditures for City
share of sanitary sewers.)

\$46,250.00 from Utilities A/C 590-536-000-920
\$46,250.00 to Jerome St.
Separation A/C 590-536-401-973
(Original project was underestimated and it was assumed a
large portion of the project would be assessed against property
owners.)

\$1,058,000.00 from Retained Earning A/C 590-000-000-395
\$1,058,000.00 to Interest A/C 590-599-000-995
(To support payment of debt service on bond issue sold in July
1984.)

(The balance in the Reserve for Contingency Fund after these
transfers is \$256,836.28.)

Recommended by:

JAN LAZAR,
Budget Director

I hereby certify that this is a properly drawn and
eligible transfer.

JAMES W. DOWSETT,
Finance Director

Approved:

PAT LINDEMANN,
TONY BENAVIDES,
Ways and Means Committee

By COUNCILMAN LINDEMANN—

That these transfer of funds be amended in the 9th
item—\$35,000.00 from Reserve for Contingency to
\$35,000.00 to Professional Services-Labor Rel.
A/C 101-227-000-801 be changed to read: \$35,000.00
to Professional Services-Law A/C 101-210-000-801.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Benavides, Blair,
Creamer, Lindemann, Schmidt, Worthington—8.

Nays: 0.

Much discussion was held regarding the transfers.

Councilman Adado moved to separate the following
five items and vote separately—

\$35,000.00 from Reserve for Contingency A/C 101-941-000-963
\$35,000.00 to Professional Services-
Law A/C 101-210-000-801

\$35,000.00 from Reserve for Contingency A/C 101-941-000-963
\$15,000.00 to Wages-Hourly-Flood
Control A/C 101-445-017-706

(to incur estimated expenditures for flood control thru the
week ending 3-2-85)
\$ 5,000.00 to materials-Flood
Control A/C 101-445-107-782
(same as above)

\$15,000.00 to Equip. Rental-Flood
Control A/C 101-445-017-943
(same as above)

\$2,000.00 from Potter Zoo-Mis. &
Opr. Exp. A/C 101-719-000-741
\$2,000.00 to Rental-Golf Cards A/C 101-721-000-940
(to provide funding to add 10 golf carts for 85 season)

\$3,500.00 from Estimated Revenue A/C 101-000-000-160
\$3,500.00 to Misc. & Oper. Exp.-
Rec. Adm. A/C 101-725-500-741

(funds for March & June editions of Department's "Horizon"
tabloid which contains events schedule)
and
\$1,400.00 from Equipment-Forestry
Div. A/C 101-781-000-977
\$1,400.00 to Overtime-Salary-
Forestry Fiv. A/C 101-781-000-708
(Overtime for ice storm has exhausted account. Additional
overtime requested to pay for crew.)

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Benavides, Blair,
Creamer, Lindemann, Schmidt, Worthington—8.

Nays: 0.

By COUNCILMAN ADADO—

I move to reduce the \$35,000.00 transfer for Flood
Control to \$20,000.00.

Failed by the following vote:

Yeas: Councilman Adado—1.

Nays: Councilmen Belen, Benavides, Blair, Creamer,
Lindemann, Schmidt, Worthington—7.

By COUNCILMAN ADADO—

I move to reduce the \$35,000.00 transfer for Flood
Control to \$20,000.00.

Failed by the following vote:

Yeas: Councilman Adado—1.

Nays: Councilmen Belen, Benavides, Blair, Creamer,
Lindemann, Schmidt, Worthington—7.

By COUNCILMAN ADADO—

That this item of transfers be tabled.

Failed by the following vote:

Yeas: Councilman Adado—1.

Nays: Councilmen Belen, Benavides, Blair, Creamer,
Lindemann, Schmidt, Worthington—7.

By COUNCILMAN LINDEMANN—

That the transfer of funds of \$35,000.00 regarding
Flood Control and the other four transfers be approved.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Benavides, Blair,
Creamer, Lindemann, Schmidt, Worthington—8.

Nays: 0.

By COUNCILMAN BLAIR—

That the remaining transfer of funds be sent to the Committee of the Whole.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Nays: 0.

By COUNCILMEN BLAIR, WORTHINGTON, LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Request from Father John's Fund to display a portable sign on Marshall Street Armory property from March 5 through March 16 to advertise their fund raiser.

By COUNCILMAN LINDEMANN—

That this permission be granted providing all Zoning and Building code Ordinances are complied with.

Carried.

By COUNCILMAN WORTHINGTON—

I move that a public hearing be set March 18, 1985, at 7:00 P.M. in the City Council Chambers, 10th Floor, City Hall for the Ordinance establishing the Personnel and Training Department and creation of a Personnel Merit System.

Carried.

REMARKS BY THE MAYOR

Comments regarding the Circus currently at Civic Center.

Announced applications being accepted for City Treasurer position.

Howard McCaffery, Public Service Director, answered questions from City Council members in regard to snow removal and flooding problems in the City.

REMARKS BY THE CITY COUNCIL

Councilman Adado requested a report on road conditions and snow removal in writing from Public Service Director.

Also remarked about the city policy regarding proof of payment of IRA's for City Tax forms.

Councilmember Schmidt announced the North School Carnival to be held Friday, March 8th.

Councilman Lindemann asked the Mayor about the Citizen Complaints of last week's meeting regarding Summit Steel and inquire as to what had been accomplished to this date.

Also asked the City Attorney to look into the Ordinance for recycling which is in effect in the City of Kalamazoo, MI

and talked at length regarding the reports of #6 Fire Truck being out-of-service for the east side of the city.

Councilman Creamer recognized former Mayor Graves and wife, Donna in the audience.

Gerald W. Graves, former Mayor, spoke regarding the memo of the Mayor to Department heads of the City and remarked about the snow and ice removal of the City.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:45 P.M.

RUTH WARD,
Deputy City Clerk

March 4, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

84

Proceedings, March 11, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

March 11, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Benavides.

Pledge of allegiance by Girl Scout Brownie Troop #598 by Melony Crosby, Kristina Crosby and Jamie Kenyon.

PUBLIC HEARING

March 11, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Redevelopment District CRD-2-85 for Lanoco Development at 1923 E. Michigan Ave. and 109 North Clemens.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Commercial Redevelopment District they had the privilege of speaking at this time.

Rick Kibbe, representing Eastside Neighborhood Association spoke in opposition.

Bridget King, 115 N. Clemens, spoke in opposition.

Referred to the Committee on Economic Development.

PUBLIC HEARING

March 11, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Redevelopment District CRD-4-85 for Cherry Street Investments at 419 Cherry Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Commercial Redevelopment District they had the privilege of speaking at this time.

Referred to the Committee on Economic Development.

PUBLIC HEARING

March 11, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Amendment providing that

Chapter 31 of the Code of Ordinances of the City of Lansing be amended by revising Section 31-176 to provide for the development of a variable meter Violation Fine Structure and to provide for fines for certain other parking violations.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment they had the privilege of speaking at this time.

George Sinadinos asked about the fee structure for parking violations and spoke in opposition.

Referred to the Committee on Public Properties and Safety.

PROCLAMATION

Whereas, Girl Scouts of the 80's enjoy a full, rich life. They are mastering computer technology, learning about the environment and the ecological balance, exploring the universe by telescope and getting on-the-job training through Girl Scouting's career education projects; and

Whereas, the theme for Girl Scout Week "The Best Part's the Fun," reminds us that in Girl Scouting, "FUN" is still number one! It is the lure that continues to bring millions of girls into Girl Scouting's world of new discoveries, expanded personal horizons, community service and happy friendships; and

Whereas, during Girl Scout Week, we are reminded that Girl Scouting's value-centered program is still helping girls grow up to be happy, strong, contributing citizens; and

Whereas, that makes this special week a time for all citizens, in communities across the U.S.A., to salute the Girl Scouts for the enrichments they add to girls lives—and for never forgetting "The Best Part's the Fun."

Now, Therefore, I, Terry J. McKane, Mayor of the City of Lansing, by the power vested in me, do hereby proclaim March 10-16, 1985 as:

"GIRL SCOUT WEEK"

in Lansing, and urge all citizens to join with me in commending this outstanding organization for their leadership role in young girls' lives.

Given under my hand and the Seal of the City of Lansing this seventh day of March in the year of Our Lord one thousand nine hundred and eighty-five.

Terry J. McKane
Mayor

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Bridget King, 115 N. Clemens spoke regarding

Communication 4b — Opposition to Z-10-85 — 117 N. Fairview, 116 N. Clemens rezoning petition.

Dr. Len Sawisch spoke regarding the basketball game to be held March 23, 1985 between the Lansing City Council "City Slickers" and "The Great Lakers."

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been submitted for licenses:

Second Hand Dealer:
Sign Erectors:
Building Wrecker:
Auctioneers:
Rubbish Hauler: Wemco Construction
Automobile Wrecker: Shriber's Standard Service
Mechanical Amusement Device: Corey's Lounge,
Service Systems Corp., Harry's Place, Casa Nova,
West Bank Restaurant & Lounge, Maude's Parlor,
House of Ing.

Referred to the Committee on General Services

Suit filed in Circuit Court by the Lansing Independent Employees Union v City of Lansing regarding arbitration of three union employees.

Referred to the Mayor and City Attorney

Claims filed by:

a. Larrie D. Stacey, Mason, MI, for automobile tire damaged in hitting a pot hole on S. Pennsylvania Ave.

b. Ronald V. Costello, 308 E. Hodge Ave., for automobile damaged due to being stuck on the ice at S. Washington Mall and Kalamazoo St.

Referred to the Mayor and City Attorney.

c. Elaine Garfield, 3722 Gleneden Dr. for damages to tree lawn near their drive from city snowplows.

Referred to the Mayor and Public Service Department

Petitions filed for rezoning:

a. Z-9-84 — Southwest of the Cavanaugh and Aurelius Road intersection and immediate south of 1902 W. Cavanaugh Road, described as,

Commencing 351.8 feet west, 237.5 feet South of the East ¼ Post, Section 34, T4N, R2W, thence South 10.0 feet; thence West 532.6 feet; thence South 247.5 feet; thence East 884.4 feet; thence North 257.5 feet; thence West 351.8 feet to the point of beginning, City of Lansing, Ingham County, Michigan

to be rezoned from "J" Parking and "H" Light Industrial Districts to "I" Heavy Industrial District filed by Eastlund Concrete Construction.

b. Z-10-85 — 117 N. Fairview, 116 N. Clemens and a portion of public alley adjacent to 116 N. Clemens, described as,

117 N. Fairview — Lot 156 and south 9 feet of Lot 157, Adams South Addition: 116 N. Clemens — Lot 145 Adams South Addition, City of Lansing, Ingham County, Michigan and that portion of public alley described as north 32.5 feet of Lot 146, Adams South Addition, City of Lansing, Ingham County, Michigan.

to be rezoned from "B" Residential District to "J" parking District filed by City of Lansing.

c. Z-11-85 — 1201 W. Jolly Road, described as,

That part of Lots 55 and 56, Supervisor's Plat of Prosperity Farms, a subdivision of a part of the Northeast ¼ of Section 5, Town 3 North, Range 2 West, City of Lansing, Ingham County, Michigan, described as: Beginning at the Northwest corner of said

Lot 56; thence East, 68.85 feet on the North line of Lot 56 to a point 117.0 feet West of the Northeast corner of Lot 56, thence S 00°09' E, 116.00 feet; thence West 68.85 feet; thence N 00°09' W, 116.00 feet on the West line of lots 55 and 56 to the point of beginning. Except the North 7.0 feet being used for Jolly Road right of way.

to be rezoned from "A" Residential District to "F" Commercial District filed by Mitchel and Michael Skory.

Referred to the Mayor and Planning Board

Petition for Special Land Use SLU-2-85 - Southwest of the Cavanaugh Aurelius Road intersection and south of 1902 E. Cavanaugh Road to be used for operation of a gravel pit and ultimate conversion to recreational field for owner filed by Eastlund Concrete Construction, Inc.,

Referred to the Mayor and Planning Board

Petitions filed for a stop sign for northbound traffic on Ingham St. at the corner of Ingham St./Dunlap St. and Ingham St./Fauna St.

Referred to the Mayor and Traffic Board

Geert D. Mulder & Sons, Inc. requests recertification of the final plat of Tammany Hills #4.

Referred to the Mayor and Planning Board

City of Detroit submits copy of resolution adopted regarding projected impact of the proposed 1985-86 Federal Budget and requesting other cities to join them in transmitting this information to their national representatives.

Referred to the Mayor

Letter from the River Forest Neighborhood Association regarding enforcement of the Junk Dealer's Ordinance.

Referred to the Mayor

Richard C. Williams submits letter concerning the Site Plan/Traffic Signal Agreement for Holmes Road Westside Deli, 909 W. Holmes Rd.

Referred to the Mayor and Traffic Board

MAYORS EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:

Mr. Cleophus Boyd, Executive Assistant to the Mayor, spoke regarding resolution #10 (Passage of Ordinance revising Section 31-176 concerning parking violations.)

REPORT OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

Sign Erector: National Advertising Co., Mid-Michigan Stamps and Signs, Inc.
Second Hand Dealer: Bob's Gun Shop
Building Wrecker: Brown Bros., Inc.
Auctioneer: Brother Bob's Auction Service
Rubbish Hauler: Wemco Construction
Automobile Wrecker: Shriber's Standard Service
Mechanical Amusement Device: Corey's Lounge,
Service Systems Corp., Harry's Place, Casa Nova,
West Bank Restaurant & Lounge, Maude's Parlor,
House of Ing.

Sidney P. Worthington
Charles Creamer
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Councilmen Adado, Blair and Lindemann left the session.

Adopted by the following vote:

Unanimously.

Councilmembers Adado, Blair and Lindemann returned to the session.

The COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

To whom was referred the Downtown Development Authority Issue reports as follows: In the continuing Committee discussions regarding downtown development and reestablishment of the DDA the subject of cost to the City has been a recurring theme. The Committee therefore requests the Administration to prepare a budget inclusive of all potential expenses associated with the reestablishment of a Downtown Development Authority. Additionally, the Committee expressed interest in the Administration's recommendation on the findings presented to the Economic Development Corporation by Public Sector Consultants as a result of the study they have been commissioned to perform.

Signed:

PAT LINDEMANN,
LOUIS F. ADADO,
Committee on Public Properties and Safety

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

To whom was referred the Ordinance amendment to Chapter 31 by revising Section 31-176 to provide for the development of a variable meter violation fine structure and to provide for fines for certain other parking violations. Reports as follows: That said Ordinance be approved.

Signed:

PAT LINDEMANN,
LOUIS F. ADADO,
Committee on Public Properties and Safety

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON HUMAN SERVICES & INTER-GOVERNMENTAL RELATIONS—

To whom was referred the February 22, 1985 letter from Joseph Pandey, Jr., General Manager of the Board of Water and Light, regarding the Board's steam line project reports as follows: In response to questions from Committee members at the February 12, 1985, Committee meeting, Mr. Pandey has provided details of the steam line project. Total estimated project cost is \$8,658,000 with engineering and construction of the lines on South Capitol Avenue estimated at \$2,500,000. Steam line construction was completed in November, 1984, the balance of the project will take until February 1986 for installation of new equipment and controls in

the plant. In the fall of 1984, following a meeting with Parks and Recreation Department Staff, the BWL planted trees along the stream route line and vine around the caissons supporting the line. These facts are reported for information only, and no Council action is required.

Signed:

CHARLES M. CREAMER,
TONY BENAVIDES,
Committee on Human Services & Inter-Governmental Relations

By COUNCILMAN SCHMIDT—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

DATE: 3/7/85

TO: President Charles Creamer and Members, Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application—Lansing Dietetic Association

Attached is an application for a parade permit from the above-referenced organization to hold a fitness run, scheduled for 9:00AM on Saturday, April 27, 1985, which has been approved by all the necessary departments.

Our personnel estimate that this will cost the City a total of \$334.41, which represents one Sergeant, three Police Officers and four vehicles for three hours.

This is being sent to you for final action.

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the Police Chief and this parade application be approved for April 27, 1985.

Carried.

March 8, 1985

Mayor McKane and Members of the City Council

Dear Mayor McKane and City Council Members:

Attached is a suggested resolution for your approval recommended unanimously by the Economic Development Corporation's Board of Directors indicating appreciation for the economic benefits to the city of the State Accident Fund's operation past and continued presence in downtown. Your approval will allow continued planning on the State Accident Fund's expanded Lansing office building.

Very truly yours,
EMERSON B. OHL,
Executive Director

Referred to the Committee on Economic Development.

March 7, 1985

President Charles Creamer
Members of Lansing City Council

Dear President Creamer and Council Members:

Re: Proposal from Touche Ross & Co.

At a duly noticed regular meeting of the Board of

Water and Light of the City of Lansing, Michigan, held March 5, 1984, at which a quorum was present, the following action was duly adopted and filed with the City Clerk's offices:

That the Board advise Lansing City Council it has, in accordance with City Council's resolution adopted January 17, 1983, regarding engaging independent auditors for a three year cycle beginning with fiscal year ended June 30, 1983, received a proposal from Touche Ross & Co. in the amount of \$23,800, (maximum fee) to audit the board of Water and Light for fiscal year ending June 30, 1985.

Further, that the Board advise Lansing City Council the cost included in the Touche Ross & Co. proposal dated February 7, 1985, appears reasonable and recommends they be retained to conduct said audit as per their proposal.

Enclosed herewith is a copy of a proposal submitted by Touche Ross & Co. respecting Fiscal Year Ending June 30, 1985 audit.

Very truly yours,

Mary E. Sova,
Secretary

BOARD OF WATER AND LIGHT

Referred to the Committee on Ways and Means.

DATE: 3/7/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane

SUBJECT: Submission of attached correspondence from Municipal Development Department

RE: District Application Review, Tax Abatement
CRD-4-85, 419 Cherry St.
CRD-2-85, 1423 East Michigan Ave., 109 N. Clemens St.
CRD-3-85, 601 W. Saginaw St.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to the Committee on Economic Development.

DATE: 3/7/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane

SUBJECT: Submission of attached correspondence from the Planning Division

RE: SLU-1-85, 1500 East Cavanaugh Rd.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to the Committee on Physical Development.

DATE: 3/6/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane

SUBJECT: Submission of attached correspondence

from the Transportation Division

RE: Averill Drive and Sandhurst Drive
Four Way Stop Sign Request

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 3/6/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Georgia Avenue and Just-A-Mere Avenue
Stop Sign Request

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 3/6/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Hazel Street and Parker Street
Stop Sign Request

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 3/6/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Luwanna Dr. & Champion Way/Solomon Dr.
Stop Sign Request
Solomon Dr. & Stoneleigh Dr.
Stop Sign Request

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 3/6/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Raider Street: No Parking Request

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 3/6/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Redner Street: No Parking Request
Trinity Circle: No Parking Request

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 3/6/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Walnut Street: Metered Parking Request

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 3/6/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane

SUBJECT: Submission of attached correspondence from Sara J. Basso

RE: Legal Counsel/Labor Work

The attached correspondence is submitted for your information.

Terry J. McKane,
Mayor

Received and placed on file.

DATE: 3/6/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane

SUBJECT: Submission of attached correspondence from the Finance Director

RE: Bond Resolution for City of Lansing Park Improvement Bonds (Potter Park Zoo)

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to the Committee on Ways and Means.

DATE: 3/5/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane

SUBJECT: Submission of attached correspondence from the building Division

RE: Trash Removal Assessment—U-28 July 85 Tax Roll \$804.17

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the Mayor and this Trash Removal assessment in the amount of \$804.17 be placed on the July 85 Tax Roll.

Carried.

DATE: 3/1/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane

SUBJECT: Submission of attached correspondence from Administrative Services Director

RE: Annual Report of Real Property

The attached correspondence is submitted for your information.

Terry J. McKane,
Mayor

Received and placed on file.

DATE: 3/7/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane

SUBJECT: Submission of attached correspondence from Mechanical Board Chairman

RE: Building Safety Division

The attached correspondence is submitted for your information.

Terry J. McKane,
Mayor

Received and placed on file.

DATE: March 7, 1985

TO: City Council Members

FROM: Terry J. McKane

SUBJECT: Volunteer Recognition Dinner

The week of Monday, April 22, through Sunday, April 28, 1985, has been designated as National

Volunteer Week. Therefore, I am requesting that you join me in co-sponsoring a dinner for all the volunteers that have assisted the City in the past year. I have taken the liberty of booking the Civic Center Auditorium for Friday, April 26th, as it was the only date available during that week.

Estimated costs involved are as follows:

Room Rental of the Auditorium	\$1,100.00
Sound System Lighting	76.24
Catered Dinner Estimated 850 Volunteers x estimated \$7.50 with waiver of 15% fee	6,375.00
Join Resolution as Dinner Favor (with bow)	25.00
Letter Invitation Printing and Envelopes	34.00
Postage	187.00
Estimated Total	\$7,797.24

The above monies would come from the account of City Special Expenses 101-930-000-962.

Invitations would be sent in the form of a letter with a telephone RSVP to insure a more accurate count and reduce costs. I am designating Brenda Hull to coordinate this volunteer recognition event. Please call Brenda Hull at 483-4477 and provide her with any names of individuals you may wish to invite.

Referred to the Committee on Ways and Means.

RESOLUTIONS

By COUNCILMEMBERS BELEN, WORTHINGTON AND ADADO—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Industrial Development District IPR-8-80, at property commonly known as the Oldsmobile Plant 1 manufacturing complex at 920 Townsend; and

Whereas, the Buick-Oldsmobile-Cadillac Group, General Motors Corporation has applied for an Industrial Facilities Exemption Certificate for new equipment and other improvements to the facility; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on Buick-Oldsmobile-Cadillac's application for an Industrial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved, that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved, that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Industrial Development District IPR-8-80; and

Be It Finally Resolved, that such hearing shall be held at the Council Chambers on the tenth (10th) floor of the Lansing City Hall on Monday, March 25, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$1,000.00 from Sick Leave-Probation	A/C 101-151-000-711
\$1,400.00 from Salaries & Longevity-Probation	A/C 101-151-000-702
\$2,400.00 to Misc. & Oper. Exp.-Probation (Increase in caseload & addition of Probation Officer)	A/C 101-151-000-741
\$2,000.00 from Salaries & Longevity-Law	A/C 101-210-000-702
\$2,000.00 to Misc. & oper. Expenses-Law (Increase in Court fees & number of forfeiture & code enforcement actions)	A/C 101-210-000-741
\$18,810.00 from Equipment-Data Processing	A/C 101-221-000-977
\$18,810.00 to Equipment Rental-Data Proc. (Funds for equip. lease were inadvertently included in equip. purchase acct.)	A/C 101-221-000-943
\$8,880.00 from Salaries & Longevity-Data Proc.	A/C 101-221-000-702
\$8,880.00 to Repair & Maint.-Central Garage (Bring hoist up to safety standards [57,500] and repair of tools)	A/C 101-222-000-930
\$16,822.00 from Reserve for Contingency	A/C 101-941-000-963
\$16,822.00 to Repair Part-Police (Poor condition of fleet as to age and/or mileage resulted in higher than anticipated costs to keep units repaired & in service)	A/C 101-222-2110781
\$2,500.00 from Utilities-City Hall	A/C 101-265-002-920
\$3,000.00 from Utilities-Hazel St. Property Mgt.	A/C 101-265-004-920
\$2,720.00 from Gasoline-Police-Central Garage	A/C 101-222-211-751
\$620.00 from Equipment-Data Processing	A/C 101-221-000-977
\$8,840.00 to Gasoline-Fire-Central Garage (Increased usage of fire gasoline)	A/C 101-222-212-751
\$3,500.00 from Misc. Expenses	A/C 101-214-001-741
\$4,000.00 from Repair/Maint.	A/C 101-214-000-930
\$1,400.00 from Misc. Expenses	A/C 101-221-000-741
\$3,700.00 from Utilities City Hall	A/C 101-265-001-920
\$12,600.00 to Repair Parts-Other (Poor condition of fleet as to age and/or mileage results in higher than anticipated costs to keep units repaired & in service)	A/C 101-222-213-781
\$4,040.00 from Reserve for Contingency	A/C 101-941-000-963
\$3,040.00 to Employee Assistance-Special Wages	A/C 101-226-001-707
\$1,000.00 to Safety Equipment-Safety (Expenditures for Safety Equip. have depleted funds)	A/C 101-371-000-745
\$1,000.00 from Salaries & Longevity-Purchasing	A/C 101-233-000-702
\$800.00 from Overtime-Salary-Purchasing	A/C 101-233-000-708
\$1,800.00 to Operating Supplies-Purchasing (Shortage in operating supplies due to cost of buying "Partial Purchase Order" forms & increase in supplies due to large number of R.F.P.S.)	A/C 101-233-000-740
\$6,180.00 from Salaries & Longevity-Treas./Income Tax	A/C 101-253-000-702
\$6,180.00 to Misc. & Oper. Exp. (Fed. requirement of governmental units to mail 1099-G's made official in May 1984. Current budget does not include costs of this new item.)	A/C 101-253-000-741
\$14,000.00 from Utilities-City Hall-	

Prop. Mgt. \$10,000.00 to Overtime-Hourly-Property Mgt. (Weekend painting of the Central Garage with sick leaves requiring callbacks to cover shifts has depleted funds) \$4,000.00 to Unscheduled Maint.-Prop. Mgt. (Higher than anticipated costs for unscheduled maint. items has depleted funds)	A/C 101-265-001-920 A/C 101-265-000-709 A/C 101-265-002-931	\$1,441.00 from Sal. & Investigations Div. \$3,095.00 from Sal.-Admin. Services Bureau \$4,000.00 from Sal. & Long.-Assessor \$2,650.00 from Sal. & Long.-Inventory Control & Warehouse \$17,591.00 to Temp. Help-Gen. Admin. (Where residuals or cost savings were identified funds are being transferred from using departments back to Temp. Help)	A/C 101-310-000-702 A/C 101-307-000-702 A/C 101-209-000-702 A/C 101-214-000-702 A/C 101-930-000-707
\$2,000.00 from Utilities-W. Sq. Annex-Prop. Mgt. \$2,000.00 to Operating Supp.-Prop. Mgt. (Continue purchase of energy efficient light bulbs & fixtures in conjunction with normal costs, which have been higher than anticipated)	A/C 101-265-002-920 A/C 101-265-000-740	\$1,620.00 from Estimated Revenues \$1,620.00 to Park Acq. & Dev.-Restricted Funds (Transfer money received for Willoughby Road to Park Acquisition and Development)	A/C 101-000-000-160 A/C 101-936-416-974
\$15,000.00 from Salaries-Investigation Div. \$2,000.00 to Overtime-Civilian (Civilian overtime exp. have been higher than anticipated due to 2 clerical employees who have been on extended leaves)	A/C 101-310-000-702 A/C 101-305-000-709	\$300.00 from Community Dev. Block Grant-Gen. Adm. Transportation \$300.00 to Com. Dev. Block Grant-Gen. Adm. Equipment (For purchase of a micro-cassette transcriber for use by rehabilitation personnel to reduce volume of written paperwork)	A/C 251-930-010-860 A/C 251-930-010-977
\$1,000.00 from Salaries-Investigations Div. \$1,000.00 to 911-Civilian Overtime (911 has had 4 extended Technician vacancies)	A/C 101-310-000-702 A/C 101-309-000-709	\$6,252.43 from Community Dev. Block Grant-9th Yr. Contingency (R) \$6,252.43 to Com. Dev. Block Grant-NSA#3 Public Improvements (R) (Act. short when the final figures for the sidewalk construction came in)	A/C 255-941-900-969.1 A/C 252-845-907-974
\$13,430.00 from Holiday Pay-Fire \$13,430.00 to Adm.-Fire (Court order back pay for sworn Adm. Assist. VI)	A/C 101-337-000-710 A/C 101-337-000-702	\$20,000.00 from 1969 Storm Sewers & Drain Bond Fund \$20,000.00 to 1969 Storm Sewers & Drains Bond City Portion Storm Sewers (Fund estimated needs for the remainder of the Fiscal year for the City share of the costs of storm sewer projects.)	A/C 401-000-000-390.3 A/C 401-787-010-974.677
\$500.00 from Holiday Pay-Fire \$500.00 to Admin.-Fire (Funds depleted—heavier than anticipated need for overtime in current year)	A/C 101-337-000-710 A/C 101-337-000-708	\$25,000.00 from 1969 Storm Sewers & Drains Bond Fund \$25,000.00 to Clemens St. Sewer Separation (Bid for Clemens St. portion of Red Cedar Area Sewer and Regulator higher than estimated.)	A/C 401-000-000-390.3 A/C 401-787-010-974.676
\$15,000.00 from Suppression \$15,000.00 to Utilities-Fire (Anticipated need above original appropriation)	A/C 101-339-000-702 A/C 101-337-000-920	\$1,500.00 from Municipal Cemeteries Fund-Equip.-Adm. \$1,500.00 to Paid Serv.-Burial & Special Care-Overtime-hourly (More weekend burials occurring—need for overtime)	A/C 516-536-000-977 A/C 516-537-000-709
\$230.00 from Equip.-Emergency Services \$230.00 to Repair & Maint.-Emergency Services (Increased phone rates)	A/C 101-426-000-977 A/C 101-426-000-930	\$25,000.00 from Utilities \$25,000.00 to Clemens St. Sewer Separation (Cost of construction of storm & sanitary sewers in Clemens)	A/C 590-536-000-920 A/C 590-536-501-974
\$350.00 from Transportation-Sal. & Long. \$350.00 to Christmas Decoration Installation (To cover estimated expenditures for equipment rental charges)	A/C 101-437-000-702 A/C 101-437-000-881	\$30,000.00 from Utilities \$30,000.00 to City Portion-Sanitary Sewers (To cover estimated second six month expenditures for City share of sanitary sewers.)	A/C 590-536-000-920 A/C 590-536-608-974
\$8,750.00 from Aurelius Rd. Landfill-Prof. Services \$8,750.00 to Adm. & Eng.-Equipment Rental (To cover estimated expenditures for equipment rental charges)	A/C 101-526-000-801 A/C 101-441-000-943	\$26,250.00 from Utilities \$46,250.00 to Jerome St. Separation (Original project was underestimated and it was assumed a large portion of the project would be assessed against property owners.)	A/C 590-536-401-973
\$2,350.00 from Adm. & Engineering \$2,350.00 to O&M-Salaries (To cover cost for New Asst. O&M Supt. Position)	A/C 101-441-000-702 A/C 101-442-000-702	\$1,058,000.00 from Retained Earning \$1,058,000.00 to Interest (To support payment of debt service on bond issue sold in July 1984)	A/C 590-000-000-395 A/C 590-599-000-995
\$3,000.00 from Wages-Temp. Labor-Special Rec. & Cultural \$10,000.00 from Wages-Temp. Labor Community Act. & Aqua. \$2,000.00 from Wages-Temp. Labor Competitive & Instructional Sports \$15,000.00 to Utilities-Rec. Admin. (Funds needed due to increased utility consumption and water & sewer rates)	A/C 101-729-500-707 A/C 101-729-500-707 A/C 101-727-500-707 A/C 101-725-500-920	(The balance in the Reserve for Contingency Fund after these	
\$262.00 from Sal. & Long.-Labor Relations \$3,500.00 from Sal. & Long.-Mayor \$263.00 from Sal. & Long. Building Safety Div. \$2,380.00 from Sal. & Long.-Adm. Div.	A/C 101-227-000-702 A/C 101-171-000-702 A/C 101-860-380-702 A/C 101-692-000-702		

transfers is \$256,836.28.)

Recommended by:

Jan Lazar,
Budget Director

I hereby certify that this is a properly drawn and eligible transfer.

James W. Dowsett,
Finance Director

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing and the Teamster, Local 580 Supervisory Division, Union have negotiated an agreement through the collective bargaining process, and

Whereas, the term of this agreement is February 11, 1985 to June 30, 1987, and

Whereas, the Teamsters, Local 580 Supervisory Division Union has ratified this agreement and the Mayor and City Council have reviewed it and concur subject to agreement on the specific contract language.

Now, Therefore, Be It Resolved, that the City Council hereby ratifies this contract subject to agreement on the specific contract language by the City and Union's legal counsel.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Special Ad Hoc Committee on the Civic Center and Exhibition Hall has been meeting regularly for the past several weeks; and

Whereas, preliminary recommendations regarding the physical changes to the exhibition hall as well as the concept of bonding for the construction of the pedway through out parking system were presented to the Committee of the Whole; and

Whereas, it is imperative the Council be of one mind in terms of the physical design of the exhibition hall and the various funding sources before entering a final agreement with the developers;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby indicates its approval of the physical changes to the exhibition hall presented by the Ad Hoc Committee; and

Be It Further Resolved, the Council approves the concept of funding the pedways by means of parking system and building authority resources and hereby encourages the administration to proceed with the requisite procedures to facilitate this plan of action.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the employees of the City of Lansing have expressed an interest in deferred compensation, and

Whereas, the Internal Revenue Code provides for the establishment of said plans, and

Whereas, these plans encourage employees to save to augment retirement income;

Now, Therefore, Be It Resolved, that the City Council hereby endorses the concept of deferred compensation for City of Lansing employees.

Adopted by the following vote:

Unanimously.

From COMMITTEE OF THE WHOLE—

At a regular meeting of the City Council of the City of Lansing, Ingham, Eaton and Clinton Counties, Michigan, held on the 11th day of March, 1985, at 7:00 o'clock P.M., Eastern Time.

Present: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt and Worthington.

Absent: None

The following resolution was offered by Councilmember Benavides and seconded by Councilmember Belen:

Whereas, the City of Lansing, Ingham, Eaton and Clinton Counties, Michigan, is a home rule city organized and existing under and pursuant to Act 279, Public Acts of Michigan of 1909, as amended; and

Whereas, at a general election held in the City of Lansing on August 7, 1984, the issuance of general obligations unlimited tax bonds of the City of Lansing in the principal amount of not to exceed \$1,500,000 for the purpose of implementing improvements to the Potter Park Zoo, was approved by a majority of the qualified electors of the City of Lansing voting thereon (the vote thereon being 6,955 in favor of and 2,602 against the issuance of the bonds); and

Whereas, the City Council desires to proceed with the sale and issuance of the bonds.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, Ingham, Eaton and Clinton Counties, Michigan, as follows:

1. **Authorization of Bonds—Purpose.** Bonds of the City of Lansing, aggregating the principal sum of One Million Five Hundred Thousand Dollars (\$1,500,000), shall be issued and sold pursuant to the provisions of Act 279, Public Acts of Michigan, 1909, as amended, and other applicable statutory provisions, for the purpose of defraying part of the cost of implementing improvements to the Potter Park Zoo.

2. **Bond Details.** The bonds shall be designated "City of Lansing General Obligation Unlimited Tax Park Improvement Bonds"; shall bear an original issue date of April 1, 1985; shall be numbered from 1 upwards; shall be fully registered; shall be in the denomination of \$5,000 each or any integral multiple thereof not exceeding the aggregate principal amount for each maturity at the option of the purchaser thereof; shall bear interest at a rate or rates not exceeding 13% per annum to be determined upon the sale thereof payable on September 1, 1985 and semiannually thereafter on the first days of March and September in each year; and shall mature on September 1 in each year as follows:

Year	Principal Amount	Year	Principal Amount
1985	\$250,000	1988	\$325,000
1986	275,000	1989	350,000
1987	300,000		

3. **Payment of Principal and Interest.** The principal of and interest on the bonds shall be payable in lawful money of the United States of America. Principal shall be payable upon presentation and surrender of the

bonds to the bond registrar and paying agent as they severally mature. Interest shall be paid to the registered owner of each bond as shown on the registration books at the close of business on the 15th day of the calendar month preceding the month in which the interest payment is due. Interest shall be paid when due by check or draft drawn upon and mailed by the bond registrar and paying agent to the registered owner at the registered address. Upon deposit of the principal of and interest on the bonds with the paying agent, the obligation of the City of Lansing to pay principal of and interests on the bonds, to the extent of such deposit, shall be discharged.

4. Prior Redemption. The bonds shall not be subject to redemption prior to maturity.

5. Bond Registrar and Paying Agent. The Finance Director shall designate, and may enter into an agreement with, a bond registrar and paying agent for the bonds which shall be a bank or trust company located in the State of Michigan which is qualified to act in such a capacity under the laws of the United States of America or the State of Michigan. The Finance Director or such other person as may be authorized by the City of Lansing may from time to time as required designate a similarly qualified successor bond registrar and paying agent.

6. Execution, Authentication and Delivery of Bonds. The bonds shall be executed in the name of the City of Lansing by the facsimile signatures of the Mayor and the City Clerk and authenticated by the manual signature of an authorized representative of the bond registrar and paying agent, and the seal of the City of Lansing (or a facsimile thereof) shall be impressed or imprinted on the bonds. After the bonds have been executed and authenticated for delivery to the original purchaser thereof, they shall be delivered by the Finance Director to the purchaser upon receipt of the purchase price. Additional bonds bearing the facsimile signatures of the Mayor and the City Clerk and upon which the seal of the City of Lansing (or a facsimile thereof) is impressed or imprinted may be delivered to the bond registrar and paying agent for authentication and delivery in connection with the exchange or transfer of bonds. The bond registrar and paying agent shall indicate on each bond the date of its authentication.

7. Exchange and Transfer of Bonds. Any bond, upon surrender thereof to the bond registrar and paying agent with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner of his duly authorized attorney, may, at the option of the registered owner thereof, be exchanged for bonds of any other authorized denominations of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered bond.

Each bond shall be transferable only upon the books of the City of Lansing, which shall be kept for the purpose by the bond registrar and paying agent, upon surrender of such bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney.

Upon the exchange or transfer of any bond, the bond registrar and paying agent on behalf of the City of Lansing shall cancel the surrendered bond and shall authenticate and deliver to the transferee a new bond or bonds of any authorized denomination of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered bond. If, at the time the bond registrar and paying agent authenticates and delivers a new bond pursuant to this section, payment of interest on the bonds is in default, the bond registrar and paying agent shall endorse upon the new bond the following: "Payment of interest on this bond is in default. The last date to

which interest has been paid is _____"

The City of Lansing and the bond registrar and paying agent may deem and treat the person in whose name any bond shall be registered upon the books of the City of Lansing as the absolute owner of such bond, whether such bond shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such bond and for all other purposes, and all payments made to any such registered owner, or upon the order of the registered owner, in accordance with the provisions of Section 3 of this resolution shall be valid and effectual to satisfy and discharge the liability upon such bond to the extent of the sum or sums so paid, and neither the City of Lansing nor the bond registrar and paying agent shall be affected by any notice to the contrary. The City of Lansing agrees to indemnify and save the bond registrar and paying agent harmless from and against any and all loss, cost, charge, expense, judgement or liability incurred by it, acting in good faith and without negligence hereunder, in so treating such registered owner.

For every exchange or transfer of bonds, the City of Lansing or the bond registrar and paying agent may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

8. Form of Bonds. The bonds shall be in substantially the following form:

United States of America
State of Michigan
Counties of Ingham, Eaton and Clinton
City of Lansing
General Obligation Unlimited Tax Park Improvement
Bond

Interest Rate Maturity Date of Original Issue Cusip
Registered Owner
Principal Amount

The City of Lansing, Counties of Ingham, Eaton and Clinton, State of Michigan, acknowledges itself indebted to, and for value received, hereby promises to the Registered Owner identified above, or registered assigns, the Principal Amount set forth above on the maturity date specified above, upon presentation and surrender of this bond at the bond registrar and paying agent, or at such successor bond registrar and paying agent as may be designated pursuant to the resolution, and to pay to the registered owner at the close of business on the 15th day of the calendar month preceding the month in which an interest payment is due, by check or draft drawn upon and mailed by the bond registrar and paying agent by first class mail postage prepaid to the registered owner at the registered address, interest on such Principal Amount until the City of Lansing's obligation with respect to the payment of such Principal Amount is discharged in the resolution, at the interest rate per annum specified above. Interest is payable on the first days of September and March in each year, commencing on September 1, 1985. Principal and interest are payable in lawful money of the United States of America.

This bond is one of a series of bonds aggregating the principal sum of One Million Five Hundred Thousand Dollars (\$1,500,000) issued by the City of Lansing under and pursuant to and in full conformity with the Constitution and Statutes of Michigan (especially Act No. 279, Public Acts of 1909, as amended) and a bond authorizing resolution adopted by the City Council of the City of Lansing (the "Resolution") for the purpose of

defraying part of the cost of implementing improvements to the Potter Park Zoo. The issuance of the bonds was approved at a general election held in the City of Lansing on August 7, 1984, by a majority of the qualified electors of the City of Lansing voting thereon. All taxable property in the City of Lansing is subject to ad valorem taxation without limitation as to rate or amount to pay the bonds. The City of Lansing has agreed and is required by law to include in its annual tax levy the principal and interest coming due on the bonds to the extent funds are not provided from other sources.

This bond is transferable, as provided in the Resolution, only upon the books of the City of Lansing kept for that purpose by the bond registrar and paying agent, upon the surrender of this bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his or her attorney duly authorized in writing. Upon the exchange or transfer of this bond a new bond or bonds of any authorized denomination, in the same aggregate principal amount and of the same interest rate and maturity, shall be authenticated and delivered to the transferee in exchange thereof as provided in the Resolution, and upon payment of the charges, if any, therein provided. Bonds so authenticated and delivered shall be in the denomination of \$5,000 or any integral multiple thereof not exceeding the aggregate principal amount for each maturity.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of the bonds of this series, existed, have happened and have been performed in due time, form and manner as required by law, and that the total indebtedness of the City of Lansing, including the series of bonds of which this bond is one, does not exceed any constitutional or statutory limitation.

In Witness Whereof, the City of Lansing, Counties of Ingham, Eaton and Clinton, Michigan, by its City Council, has caused this bond to be executed in its name by facsimile signatures of the Mayor and the City Clerk and its corporate seal (or a facsimile thereof) to be impressed or imprinted hereon. This bond shall not be valid unless the Certificate of Authentication has been manually executed by an authorized representative of the bond registrar and paying agent.

City of Lansing

(Seal)

By: Rita M. Bauman
City Clerk

By: Terry J. McKane
Mayor

Certificate of Authentication

This bond is one of the bonds described in the within mentioned Resolution.

Bond Registrar and Paying Agent

By: _____
Authorized Representative

Authentication Date: _____

Assignment

For value received, the undersigned hereby sells, assigns and transfers unto _____

(please print or type name, address and taxpayer identification number of transferee) the within bond and all rights thereunder and does hereby irrevocably constitute and appoint _____

attorney to transfer the within bond on the books kept for registration thereof, with full power of substitution

in the premises.

Dated: _____

Signature Guaranteed: _____

The signature must be guaranteed by a commercial bank, a trust company or a brokerage firm which is a member of a major stock exchange.

9. Debt Service Fund - Accrued Interest. A Debt Service Fund shall be established for the bonds. From the proceeds of the sale of the bonds there shall be set aside in the Debt Service Fund any premium and accrued interest received from the purchaser of the bonds at the time of delivery of the same.

10. Estimates of Period of Usefulness and Cost. The estimated period of usefulness of the project for which the bonds are to be issued is hereby determined to be not less than five (5) years and the estimated cost thereof in the amount of \$1,500,000 as submitted to this City Council, is hereby approved and adopted.

11. Security. The City of Lansing agrees to annually levy ad valorem taxes on all taxable property in the City of Lansing, without limitation as to rate or amount, sufficient to pay, when due, the principal of and interest on the bonds to the extent funds are not provided from other sources. The proceeds of such taxes, both current and delinquent, shall be deposited as collected in the Debt Service Fund and until the principal of the interest on the bonds are paid in full, or moneys or direct obligations by the United States of America or obligations guaranteed by the United States of America sufficient to pay the principal of and interest on the bonds when due are deposited with the paying agent for the benefit of the holders of the bonds, such proceeds shall be used only for the payment of principal of and interest on the bonds.

12. Construction Fund. The remainder of the proceeds of the sale of the bonds shall be set aside in a construction fund and used to implement improvements to the Potter Park Zoo.

13. Approval of Department of Treasury - Exception From Prior Approval. The issuance and sale of the bonds shall be subject to permission being granted therefor by the Department of Treasury of the State of Michigan or an exception from prior approval being granted by the Department of Treasury. If an exception from prior approval is not granted the Finance Director of the City of Lansing shall make application to the Department of Treasury for permission to issue and sell the bonds as provided by the terms of this resolution and for approval of the form of Notice of Sale.

14. Sale, Issuance, Delivery, Transfer and Exchange of Bonds. The Finance Director is hereby authorized to do all things necessary to effectuate the sale, issuance, delivery, transfer and exchange of the bonds in accordance with the provision of this resolution.

15. Notice of Sale. The Notice of Sale for the bonds shall be published in accordance with law in a publication to be selected by the Finance Director and shall be in substantially the following form:

Official Notice of Sale

\$1,500,000

City of Lansing

Counties of Ingham, Eaton and Clinton, State of Michigan

General Obligation Unlimited Tax Park Improvement Bonds

Sealed Bids for the purchase of the above bonds will be received by the undersigned at the Mayor's Office, City Hall, Lansing, Michigan, on _____, the

_____ day of _____, 198____, until
 _____ o'clock, P.M. Eastern
 Time, at which time and place the bids will be publicly
 opened and read.

In The Alternative: Sealed bids will also be received on the same date and until the same time by an agent of the undersigned at the office of the Municipal Advisory Council of Michigan, 1158 First National Building, Detroit, Michigan 48226, where they will be publicly opened and read. Bids opened at Detroit, Michigan will be read first. Bidders may choose either location to present bids and good faith checks, but may not present bids at both locations.

Bond Details: The bonds will be fully registered bonds of the denomination of \$5,000 each or any integral multiple thereof not exceeding the aggregate principal amount for each maturity at the option of the purchaser thereof, bear an original issue date of April 1, 1985, and will bear interest from their date payable on September 1, 1985, and semi-annually thereafter.

The bonds will mature on the first day of September as follows:

Year	Amount	Year	Amount
1985	\$250,000	1988	\$325,000
1986	275,000	1989	350,000
1987	300,000		

Prior Redemption: Bonds of this issue are not subject to redemption prior to maturity.

Interest Rate and Bidding Details: The bonds shall bear interest at a rate or rates not exceeding 13% annum, to be fixed by the bids therefor, expressed in multiples of 1/8 or 1/20 of 1%, or both, the interest on any one bond shall be at one rate only and all bonds maturing in any one year must carry the same interest rate. The difference between the highest and lowest interest rate on the bonds shall not exceed 3 percentage points. No proposal for the purchase of less than all of the bonds or at a price less than 100% of their par value will be considered.

Bond Registrar and Paying Agent: The bonds shall be payable as to principal in lawful money of the United States upon surrender thereof at _____

in the City of _____, Michigan, the bond registrar and paying agent. Interest shall be paid to the registered owner of each bond as shown on the registration books at the close of business on the 15th day of the calendar month preceding the month in which the interest payment is due. Interest shall be paid when due by check or draft drawn upon and mailed by the bond registrar and paying agent to the registered owner at the registered address. The City of Lansing may from time to time as required designate a successor bond registrar and paying agent.

Registration of Bonds: The successful bidder shall notify the bond registrar and paying agent within such time, the City of Lansing shall specify the denominations of bonds to be delivered to the successful bidder and the successful bidder shall be the initial registered owner thereof.

Purpose and Security: Issuance of the bonds was approved by a general election held in the City of Lansing on August 7, 1984. The bonds are being issued to implement improvements to the Potter Park Zoo. The bonds are a general obligation of the City of Lansing and the City of Lansing is required to levy, without limitation as to rate or amount, ad valorem taxes on all taxable property in the City of Lansing to pay, when due, principal of and interest on the bonds to the extent other funds are not available therefor.

Good Faith: A certified or cashier's check in the amount of \$30,000 drawn upon an incorporated bank

or trust company and payable to the order of the Treasurer of the City of Lansing must accompany each bid as a guarantee of good faith on the part of the bidder, to be forfeited as liquidated damages if such bid be accepted and the bidder fails to take up and pay for the bonds. No interest shall be allowed on the good faith checks and checks of the unsuccessful bidders will be promptly returned to each bidder's representative or by registered mail. The good faith check of the successful bidder will be immediately cashed and payment for the balance of the purchase price of the bonds shall be made at the closing.

Award of Bonds: The bonds will be awarded to the bidder whose bid produces the lowest interest cost computed by determining at the rate or rates specified in the bid, the total dollar value of all interest on the bonds from _____, 19____ to their maturity and deducting therefrom any premium.

Legal Opinion: Bids shall be conditioned upon the unqualified approving opinion of Dickinson, Wright, Moon, Van Dusen & Freeman attorneys of Detroit, Michigan, a copy of which opinion will be printed on the reverse side of each bond, and the original of which will be furnished without expense to the purchaser of the bonds at the delivery thereof.

CUSIP: CUSIP numbers will be imprinted on all bonds of this issue at the issuer's expense. An improperly printed number will not constitute basis for the purchaser to refuse to accept delivery.

Delivery of Bonds: The City of Lansing will furnish bonds ready for execution at its expense. Bonds will be delivered without expense to the purchaser at New York, New York, Chicago, Illinois or Detroit, Michigan. The usual closing documents including a certificate that no litigation is pending affecting the issuance of the bonds, will be delivered at the time of the delivery of the bonds. If the bonds are not tendered for delivery by twelve o'clock noon, Eastern _____ Time, on the 45th day following the date of sale, or the first business day thereafter if said 45th day is not a business day, the successful bidder may on that day, or any time thereafter until delivery of the bonds, withdraw its proposal by serving notice of cancellation, in writing, on the undersigned, in which event the City of Lansing shall promptly return the good faith deposit. Payment for the bonds shall be made in Federal Reserve Funds. Accrued interest to the date of delivery of the bonds shall be paid by the purchaser at the time of deliver.

Financial Consultant: Further information with respect to the bonds may be obtained from First of Michigan Corporation, 100 Renaissance Center, 26th Floor, Detroit, Michigan. Telephone: (313) 259-2600.

The Right is Reserved to Reject Any or All Bids.

Envelopes containing the bids should be plainly marked 'Proposal for Bonds'.

James Dowsett
 Finance Director
 City of Lansing

16. Conflicting Resolutions. All resolutions and parts of resolutions insofar as they may be in conflict herewith are hereby rescinded.

Ayes: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt and Worthington.

Nays: None.

Resolution adopted.

STATE OF MICHIGAN }
 COUNTY OF INGHAM } SS:

I, the undersigned, the City Clerk of the City of Lansing, do hereby certify that the foregoing is a true

and complete copy of a resolution duly adopted by the City Council of the City of Lansing at a regular meeting held on March 11, 1985, the original of which resolution is on file in my office. I further certify that notice of said meeting was given in accordance with the provisions of the open meetings act.

Rita M. Bauman,
City Clerk
City of Lansing

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinances of the City of Lansing, Michigan providing that the code of ordinances be amended by revising the district maps adopted by Section 36-6 of the Code of Ordinances and to change the zoning classification for the rezoning petitions:

Z-32-84—2726 N. Grand River to be rezoned from "F" Commercial and "J" Parking Districts to "G-2" Wholesale District.

Z-33-84—5124 S. Pennsylvania Avenue to be rezoned from "A" Residential District to "F" Commercial District.

Z-2-85—Sunset Avenue to be rezoned from "A" Residential District, "H" Light Industrial and "F" Commercial Districts to "I" Heavy Industrial District.

were introduced by Councilman Belen, read a first and second time by their titles and referred to the Committee on Physical Development.

BY COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, April 1, 1985 at 7:00 P.M. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving the rezoning petitions for:

Z-32-84—2726 N. Grand River to be rezoned from "F" Commercial and "J" Parking Districts to "G-2" Wholesale District.

Z-33-84—5124 S. Pennsylvania Avenue to be rezoned from "A" Residential District to "F" Commercial District.

Z-2-85—Sunset Avenue to be rezoned from "A" Residential District, "H" Light Industrial and "F" Commercial Districts to "I" Heavy Industrial District.

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinances of the City of Lansing, Michigan providing that the Code of Ordinances be amended by:

Providing that Chapter 1 be amended for the purpose of updating the General Provisions Chapter.

Providing that Chapter 2 be amended by revising Section 2-97 for the purpose of updating the Senior Citizens Advisory Board Ordinance.

Providing that Chapter 2 be amended by adding a new section 2-122 for the purpose of establishing the qualifications for the Director of Labor Relations.

Providing for the repeal of Chapter 2A, containing Section 2A-1 through 2A-34, inclusive, for the purpose

of updating the Urban Renewal Ordinance.

Providing that a new Chapter 2A be added containing Sections Numbered 2A-1 through 2A-23, inclusive, for the purpose of updating the Urban Renewal Ordinance.

were introduced by Councilman Worthington, read a first and second time by their titles and referred to the Committee on General Services.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, March 25, 1985 at 7:00 P.M. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving the Ordinance Amendments to Chapters 1, 2 and 2A of the Code of Ordinances.

Adopted by the following vote:

Unanimously.

ORDINANCES

By COUNCILMAN LINDEMANN—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by revising Section 31-176 of Chapter 31 to provide for the development of a variable meter violation fine structure and to provide for fines for certain other parking violations and recommended that the ordinance be passed.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by revising Chapter 31, Section 31-176 to provide for the development of a variable meter violation fine structure and to provide for fines for certain other parking violations be placed on order of immediate passage.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by revising Chapter 31, Section 31-176 to provide for the development of a variable meter violation fine structure and to provide for fines for certain other parking violations be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 694

An ordinance of the City of Lansing, Michigan, providing that Chapter 31 of the Code of Ordinances of the City of Lansing, Michigan be amended by revising Section 31-176 to provide for the development of a variable meter violation fine structure and to provide for fines for certain other parking violations.

The City of Lansing Ordains:

Section 1. That Chapter 31 of the Code of Ordinances of Lansing, Michigan, be amended by revising Section 31-176 to read as follows:

Sec. 31-176. Penalties.

Unless another penalty is expressly provided by law, the following penalties shall be imposed against every person convicted of a violation of any of the provisions of this chapter.

(a) The penalties for any violation of any section of this chapter which is specifically designated as consti-

tuting a misdemeanor shall be a penal fine of no more than one hundred dollars (\$100.00) or imprisonment for no more than ninety (90) days or both.

(b) Any person admitting responsibility or determined to be responsible for a violation of any section of this chapter which constitutes a civil infraction may be ordered to pay a fine of not more than one hundred dollars (\$100.00) and, except in the case of parking violations, shall be ordered to pay court costs as permitted by law of not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00).

(c) Penalties for the following parking violations shall be as follows:

(1) Any person paying a Meter violation in person at the violations Bureau shall pay a one dollar (\$1.00) fine for each hour after the ticket was issued, up to five (5) hours. After five (5) hours, all meter violations shall be a five dollar (\$5.00) fine. Payment time may overlap into the next business day.

(2) Any Time Zone violations shall result in an eight dollar (\$8.00) fine.

(3) Any Parking Space Reserved for the Handicapped violation shall result in a thirty dollar (\$30.00) fine.

(4) Any violation for failure to pay the prescribed fee in an attended parking facility (garage or lot) shall result in a five dollar (\$5.00) fine plus the unpaid parking fee.

(5) Any violation for parking in a No Parking Zone shall result in an eight dollar (\$8.00) fine.

(6) Any No Parking 2:00 A.M. to 5:00 A.M. violation shall result in a five dollar (\$5.00) fine.

(7) Any improper parking violation shall result in a ten dollar (\$10.00) fine.

(8) Any No Stopping, Standing, or Parking violation shall result in a twenty dollar (\$20.00) fine.

(9) Any No Parking on Sidewalk violation shall result in an eight dollar (\$8.00) fine.

(10) Any No Parking in an Alley violation shall result in a ten dollar (\$10.00) fine.

(11) Any No Parking In or Blocking a Driveway violation shall result in an eight dollar (\$8.00) fine.

(12) Any Blocking a Traffic Lane violation shall result in a twenty dollar (\$20.00) fine.

(13) Any Traffic Hazard violation shall result in a twenty dollar (\$20.00) fine.

(14) Any No Parking in an Area Designated as a Fire Lane violation shall result in a ten dollar (\$10.00) fine.

(15) Additional costs of two dollars (\$2.00) for each parking violation shall be assessed fourteen (14) calendar days after the date of violation (commonly referred to as the first notice). Additional costs of three dollars (\$3.00) for each parking violation shall be assessed twenty-eight (28) calendar days after the date of the violation (commonly referred to as the final notice).

(17) Additional costs shall be assessed for each violation upon the filing of a sworn complaint with the 54-A District Court.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN BLAIR—

That we amend this Ordinance on Page 4, Line 5, after the word effect, delete the rest of the paragraph and add "June 1, 1985."—(to read—Section 3. This ordinance shall take effect June 1, 1985.)

Carried.

BY COUNCILMAN BENAVIDES—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Application for 24-hour liquor license submitted by the Michigan Chapter of the Arthritis Foundation.

Referred to the City Clerk.

Letter from the N.A.A.C.P. expressing concern over the absence of minority hiring and business goals in the tax abatement programs currently being undertaken by the City.

Referred to the Mayor and the Committee on Economic Development.

Letter from the Greater Lansing Urban League expressing concern over the minority hiring and business goals in the tax abatement programs currently being undertaken by the City.

Referred to the Mayor and the Committee on Economic Development.

REMARKS BY MR. CLEOPHUS BOYD, MAYOR'S EXECUTIVE ASSISTANT

Spoke regarding resuming the pickup of trees and limbs.

Thanked Councilmembers for their warm welcome to him.

REMARKS BY THE CITY COUNCIL

Councilmembers Blair and Belen spoke regarding noise conditions within the city and especially around the Willow Street area of Summit Iron and Steel.

Councilmembers Benavides and Adado spoke regarding the pickup of limbs and branches from the winter storms.

Councilmember Creamer asked about the trash gathering at the corner of Turner St. and Grand River Ave.

Councilmember Schmidt spoke regarding rubbish pile at corner Pacific and So. Pennsylvania.

Councilmember Lindemann spoke regarding the prostitution problem on So. Washington Avenue.

Jay Whitney, 901 Bates St., spoke regarding noise problem that still exists in his area and the same problem on Willow St. from the shredders at Iron and Steel firms.

Clyde Cummins spoke about the property assessments being raised in their area.

Lucile Whitney, 901 Bates Street, spoke in regard to the noise in their neighborhood from the Friedland Iron and Steel Co.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:55 P.M.

RITA BAUMAN,
City Clerk

March 11, 1985

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

98

Proceedings, March 18, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

March 18, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Schmidt.

Pledge of allegiance.

By COUNCILMAN SCHMIDT—

That the council proceedings of February 18, 1985 be approved.

Carried.

PUBLIC HEARING

March 18, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Ordinance of the City of Lansing, Michigan providing for the repeal of Sections 2-1 through 2-9, inclusive, of Chapter 2 of the Code of Ordinances for the purpose of the establishment of the Personnel and Training Department and the creation of a Personnel Merit System.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed repeal of the ordinance they will have the privilege of speaking at this time.

Referred to the Committee on General Services

PUBLIC HEARING

March 18, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Ordinance of the City of Lansing, Michigan, providing that Chapter 2 be amended by adding new sections numbered Sections 2-1 through 2-6, inclusive for the purpose of the establishment of the Personnel and Training Department and a new Article 1A, Sections 2-7 through 2-7.A inclusive, providing for the creation of a Personnel Merit System.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Ordinance amendment they will have the privilege of speaking at this time.

Referred to the Committee on General Services

PUBLIC HEARING

March 18, 1985 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Ordinance to amend Chapter 22 of the code by revising Section 22-44 for the purpose of prohibiting solicitation and/or prostitution in vacant lots and providing for increased penalties for second and third convicted offenders for solicitation and/or prostitution.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Ordinance amendment they had the privilege of speaking at this time.

Howard C. Hart, proprietor of the Lansing Recreation Bowling Alley on South Washington Street spoke in support of this amendment to the Code. Several persons representing the neighborhood were in the audience.

Referred to the Committee on Public Properties and Safety.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Resolutions 2k and 2l were pulled from the agenda.

Gary Andrews, 560 Bookland, spoke regarding communication #6 (letter from Popular Arts Workshop).

Mary Haney spoke regarding the introduction of Ordinance on agenda.

James F. Anderton, representing Summit Steel Co., spoke regarding introduction of Ordinance for regulation of recycling dealers.

Robert Silky, 1806 Marquette spoke regarding Mayor's letter 2d (change of name for Marquette Street).

George Sinadinos spoke regarding parking in downtown Lansing.

Helen LeBlanc, 2021 Cumberland Rd., spoke regarding the Ordinance for regulation of recycling dealers.

Marsha Conlin spoke regarding her claim letter from City Attorney.

Brian Galloway spoke regarding the claim letter from City Attorney for his wife Nancy L. Galloway.

Robert Franks, 115 S. Foster, spoke in regard to noise of compressors, trucks running, fumes, and trucks breaking up the sidewalk in his neighborhood from business at Quality Dairy.

By COUNCILMAN BENAVIDES—

That the rules be waived so the Mayor can present his Budget Message at this time.

Carried.

Council President Creamer asked the Mayor if the presentation by Neighborhood Development Association #4 could be made first and the NDA #4 committee presented a plaque to Spartan Oil Co. for their opening a new attractive gasoline station in the neighborhood.

March 14, 1985

City Council President Charles Creamer
and City Councilmembers

Dear Council President Creamer and
City Councilmembers:

Tonight, I wish to present to you and to all the citizens of Lansing my fourth annual recommended budget. This budget represents a continuation of the efforts that we have made over the past three years to improve the efficiency of City government, expand our economic base and contain the cost increases that have plagued all communities through the 1970's and 1980's. We have worked hard together in these efforts and I hope and trust that we can continue to do so through the upcoming year.

You will recall that I outlined several priorities in my State of the City message: a low tax rate; neighborhood improvement; creating new jobs; improving the quality of City Hall work life; and providing public safety, parks and recreation, human services, and other essential services.

This evening I will emphasize one of these priorities: police and fire safety improvement. Although Lansing's crime rate went down in 1984, I believe we can make additional improvements in our police and criminal justice and our fire prevention and suppression systems. I will have more to say about these systems—and the budget to support them—shortly.

The next year presents both opportunities to continue and potential hazards that could jeopardize our efforts. Our tireless efforts to redevelop the downtown and other business areas are succeeding. However, proposed federal budget cuts present a potentially serious hazard to our efforts. I am presenting my budget message a week early so that I can join in the efforts by communities across the nation to help avert this crisis by meeting collectively with Congressional leaders next week in Washington, D.C.

We in Lansing have been fortunate. Our economy has shown considerable resurgence following the devastating recession of 1981 and 1982. We have pulled together to address the needs of the less fortunate and we have increasingly drawn upon our human resources—our citizens—to help improve the quality of life in Lansing.

We are optimistic that we can continue these efforts. We believe in the future of Lansing. We know that we can build on the strengths of our neighborhoods and of our City.

But we cannot afford to be complacent. We cannot ignore the needs of the many unemployed who have not benefitted from the economic recovery.

We must work together to protect our citizens, our children, our homes and our neighborhoods. We must protect them from neglect, from abuse, and from deterioration. To do this, we must look to an integrated effort which stresses development of resources, including people resources; to protection from neglect and from crime; and to prevention by helping to eliminate the

factors that hurt our community.

With these thoughts in mind, I have prepared a recommended budget for FY 85-86 which allows us to continue to move forward while simultaneously recognizing that we may be forced by federal actions to substantially modify our long term plans. I have recommended a General Fund budget with a total of \$56,366,889 for general operations, \$409,083 for capital improvements, \$600,000 for contingencies and an additional \$250,000 into the reserves for legal claims.

I again recommend that the City property tax rate for operations not be increased and be maintained at its current level of 10.25 mills for the fifth consecutive year. The debt retirement rate will increase .28 mills from .67 mills to .95 mills to service the voter approved debt for Potter Park Zoo improvements, for a total property tax rate of 11.20 mills.

My recommended budget incorporates several major enhancements to our public safety programs, including my recommendations relative to implementation of the much discussed Criminal Justice Study. I have also included recommendations which will implement City policies relative to improved building and safety code compliance, increased support for human emergency needs, continuation of our preventative maintenance and energy savings programs, and expansion of our efforts in economic development and redevelopment. I will highlight my recommendations in these areas briefly.

Public Safety

1. Law Enforcement—The need to continue to improve our efforts in the public safety areas is something on which I know we all agree. While our Police, Fire and Courts all perform invaluable services, we can always find ways to improve or refine these efforts. To help us in identifying possible areas for improvement, we had a Criminal Justice Study done. After exhaustive review of the study, and of the comments of the Police Department and Police Board, I recommend the following:

1. Implementation of efforts to move sworn personnel into field and direct investigative efforts rather than staff support functions. To facilitate this, I have recommended the addition of 3 civilian positions to allow movement of 3 police sergeants from 9-1-1 operation. I have also incorporated the recommendation to substitute a civilian for the sergeant in the budget section of the Police Department. This will release the sergeant for more direct police duties.

2. Retention of the helicopter unit. This operation provides an important community service which cannot be evaluated solely in economic terms, and I believe its retention is well justified.

3. Funds for improvements to the data processing capabilities of Police, District Court and Law which will enhance the efficiency and effectiveness of these operations. These efforts will improve the flow of police information, allow more targeted enforcement, and improve overall information flow in each of these departments.

4. Establishment of a Police Youth Division to focus on crimes against children and crimes by youthful offenders. I have recommended the addition of 3 police officers for this unit, which will be headed by a sergeant released from administrative duties. This unit will greatly enhance our ability to insure that crimes against children, such as neglect or abuse, receive special attention and will also allow us to deal more effectively with youth gangs and other problems occurring among our youth.

5. Implementation of the Performance Evaluation Standards currently being developed by the Police

Department for each task performed by department personnel. This will allow more effective measures of individual competency.

6. Deferral of proposals relative to one officer/one car due to both the pending IRS changes that would affect this and the need to consider any such change in conjunction with collective bargaining.

7. Further exploration of shift strength by the Police Department. The Chief is continuing his assessment of these proposals and I recommend no changes at this time.

II. **Fire Safety**—In the current year, three new rigs are due for delivery. I have included measures to continue the upgrading of our fire service fleet both by providing for major vehicle refurbishing and by providing for a manpower rig which will allow us to move firefighters more quickly and efficiently to fire scenes. The availability of manpower rig will improve our ability to move into fire scenes while simultaneously reducing the need to take unnecessary rigs to a site in order to provide more firefighters at the scene.

I have also included funding for a replacement ambulance so that we can maintain our high caliber of ambulance service.

III. **Building Safety & Code Compliance**—I have recommended in my budget the establishment of the Code Compliance Unit that was proposed last year. To insure maximum effectiveness of this unit, I have recommended creation of a Code Compliance Supervisor to oversee this major work program and to insure that our efforts in this area are more comprehensive. I know that this unit will greatly assist in assuring timely inspections and remedial action where buildings do not meet safety and code requirements.

IV. **Human Emergency Needs**—There is a growing gap between those who are benefitting from economic recovery and those who are slipping further down due to continued unemployment, reduction in available benefit programs, or both. While the City is not a primary social services deliverer, I am committed to supporting emergency needs assistance. To that end, I have included funding for:

1. Emergency Shelter needs—\$10,000.
2. Feeding the hungry in our community—\$22,000.
3. Other emergency needs, including clothing, energy—\$68,500.

I continue to advocate action throughout the community to help alleviate these problems, and I commit the continued support of my administration in these efforts.

V. **Capital Improvements**—I have included funding for:

- New radio tower to update police and fire and emergency radio communications capabilities—\$46,350.
- Replenishing of the funds for Edgewood Boulevard—to to begin restoring funding for this project to demonstrate our continued commitment—\$100,000.
- Sidewalk repair throughout the City—\$200,000.
- Repair of brickwalk in the downtown mall areas—\$40,000.
- Tennis court resurfacing—\$15,000.
- Hiking-Biking Path matching funds for continuation of development—\$20,000.

Revenues

Revenues in the past year have shown strong growth

in income tax collections and State-shared revenues. To fund my proposed FY 85-86 budget, it is projected we will have available:

- Property tax collections of \$13,115,483. This represents an increase of 4.5% and reflects the leveling of property values over the past two years. The majority of this increase can be attributed to Oldsmobile/Fisher Body personal property increases. For the second year, nearly 80% of residential Lansing assessments remain unchanged and another 8% were reduced. Lansing, therefore, has had virtually no increase in residential property tax dollars collected since 1983.
- City income tax revenues of \$17,550,000. This represents a 5% increase reflecting the resurgence of both the local and state economy.
- State-shared revenues of \$9,500,000 up 4%; \$2,800,000 in Federal Revenue Sharing; and \$1,435,000 from all other sources. The remainder will come from existing fund reserves.

Contingency Planning

As we are all too painfully aware, we face a serious and real threat of drastic reduction in federal funding to local communities. The proposed cuts will even further reduce the already low return of tax dollars paid by our citizens to Washington. I am working diligently, along with several of you, and with officials from many other communities to seek more equitable reduction in the federal budget.

These changes will without a doubt make a difference to our local budget. However, we do not yet have enough information to assess what the actual impact will be. There is considerable indication that federal revenue sharing will squeak through for at least the year remaining in the current entitlement. Whether our C.D.B.G. funds will be reduced or eliminated is also unknown. In addition, the final projections on the proposed Exhibition Hall will not be known until bids are let.

The City has managed its affairs economically and prudently. I have evaluated our current financial position and our needs and recommend to you that we plan now to review our long term financial commitment after Congress has enacted its budget, after we have seen the results of the financial audit for the current year, and after we know the costs of the Exhibition Hall.

We are assured of at least the first quarter Revenue Sharing payment. We are currently receiving very strong Income Tax and State Shared Revenue payments. We have the time and the flexibility to plan meaningfully when our resources and long term needs have been better defined. We can avoid speculating; we can work cooperatively; we can insure that the overall community interests are served.

Conclusion

In conclusion, let me say that I am proud of what we have accomplished during these past three years of recession. I look forward to the opportunities provided by careful financial planning and economic recovery to continue the efforts to improve our community. We have worked hard to provide a safe community with good services, and we have also worked hard to develop our potential without increasing the tax burden of our citizens. Our new goals should be to further these efforts.

I have presented a balanced budget—both in terms of dollars and in terms of services. By striving to keep that balance, we can progress; we can make Lansing the capital city we know it can be.

I look forward to discussing my recommendations

with you and hope and trust that we can work together to meet our next set of goals.

Sincerely,

TERRY J. McKANE
Mayor

Referred to the Committee of the Whole.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been submitted for licenses:

Rubbish Hauler—Harte Enterprises
Cabaret—Silver Dollar
Sign Erector—Sign Art, Inc. and Valley City Sign Co.
Building Wreckers—Pitsch Wrecking Co.
Auctioneer—Harley Hatcher

Referred to the Committee on General Services.

Suit filed in Circuit Court by Robert W. and Marvel M. Forbis vs Chesapeake & Ohio Railroad, et al regarding ownership of property.

Referred to the Mayor and City Attorney.

Claim filed by Melanie Hatt, 1424 S. Pennsylvania #19, for reimbursement of automobile damages from hitting a pot hole.

Referred to the Mayor and City Attorney.

Petition filed for rezoning Z-12-85—1218 N. Washington Avenue described as, S. 28 ft. Lots 1 and 6 and the north 24 ft. of lots 2 and 5, Block 32, Original Plat, City of Lansing, to be rezoned from "C" Residential District to "J" Parking District filed by Estes Furniture Company.

Referred to the Mayor and Planning Board.

Petition for Special Land Use SLU-4-85—1434 E. Jolly Road to be used for expanding commercial greenhouse operation by adding two (2) new buildings filed by George Grabowski, Lansing Gardens.

Referred to the Mayor and Planning Board.

Letter from the Popular Arts Workshop requesting support for their City Street gallery public art project.

Referred to the Mayor and the Committee on Human Services and Intergovernmental Relations.

Letter from Margaret C. Power, 3627 Palmer St., requesting support of toys and equipment for pre-school program in Foster Community Center.

Referred to the Mayor and the Committee on Ways and Means.

Michigan Public Service Commission submits notice of public hearing for Consumers Power Company's application for reconciliation of Insulation Outreach Program revenues and expenditures.

Received and placed on file.

George Sinadinos submits letter requesting permission to address City Council regarding the Parking Study.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Mayor's letter 2b—Summary of activities relative to problems on S. Washington Ave. (Neighborhood Watch

Area #133).

REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following Licenses and Bonds:

Rubbish Hauler—Harte Enterprises
Cabaret—Silver Dollar
Sign Erector—Sign Art, Inc. and Valley City Sign Co.
Building Wreckers—Pitsch Wrecking Co.
Auctioneer—Harley Hatcher

Signed:

SIDNEY P. WORTHINGTON,
ALFREDA SCHMIDT,
CHARLES M. CREAMER,
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON HUMAN SERVICES AND INTERGOVERNMENTAL RELATIONS—

To whom was referred the letter from the Ingham County Department of Social Services regarding C.A.T.A. bus service to the new Human Services Facility on South Cedar Street near Jolly Road reports as follows: The Committee met with representatives of the county and the C.A.T.A. Board and helped explain the difficulties experienced by clients of the new facility who travel there by bus. The elderly, handicapped, pregnant women, and mothers accompanied by young children have had a long walk from the west side of Cedar St. to the new facility after exiting the southbound bus. As a result of this meeting, the C.A.T.A. Board approved a loop through the Human Services facility property on a trial basis until September 1985, at which time the new routing will be evaluated. This modification applied only to the southbound Cedar St. bus route.

Signed:

ALFREDA SCHMIDT,
CHARLES M. CREAMER,
TONY BENAVIDES,
Committee on Human Services & Intergovernmental Relations

By COUNCILMAN SCHMIDT—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

March 13, 1985

President Charles Creamer
and Members of City Council

Re: Claim of D.C. Schaberg in the amount of \$54.40

Dear President Creamer
and Members of City Council:

The above referenced matter was sent to this office for review and recommendation on February 27, 1985.

A review of the files and records of Public Service reveals that on February 15, 1985, a Public Service Department plow damaged three mailboxes in front of 1813 Hillcrest where Mr. Schaberg resides. On March

3, 1985, an employee of the Public Service Department inspected the site and verified the damages. Pursuant to departmental policy, the claimant was offered replacement of the mailboxes, which he accepted. Any additional costs the client agreed to absorb.

Based on the above stated facts, it appears that this matter has been resolved to the satisfaction of all parties and no further action need be taken by City Council.

Sincerely,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and since no further action is needed, this letter should be received and placed on file.

Carried.

March 12, 1985

President Charles Creamer
and Members of City Council

Re: Claim of Arnold Chacon in the amount of \$39.00

Dear President Creamer
and Members of City Council:

Claimant has submitted this claim for reimbursement of towing and storage fees he incurred as a result of Lansing Police Department authorization for towing of his vehicle from private property immediately adjacent to his premises.

Investigation with the Lansing Police Department revealed that claimant's vehicle was ticketed for parking on private property without the authorization or consent of the property owner. Although the parking ticket was issued properly under the City Traffic Code, earlier the same day the Traffic Division of the Police Department had been notified by the City Attorney's Office that, based on a review of legal documents submitted by claimant, no further parking tickets should be issued in the matter until private civil litigation was completed. Apparently, the second shift of the Traffic Division was not so informed and a parking ticket was issued to claimant's vehicle resulting in the towing and storage charges in issue. The Michigan Supreme Court has concluded that a governmental function in an activity which is expressly or implicitly mandated or authorized by Constitution, statute or other law. In this particular case, the Police Department actions were performed pursuant to Section 77.1 of Chapter 31 of the Code of Ordinances. In addition, the Michigan Supreme Court has concluded that the management, operation and control of a Police Department for the purpose of preserving the public peace and order, preventing crime and protecting the rights of persons would be found to be a governmental function within the meaning of the Governmental Tort Liability Act. See *Ross v Consumers Power*, 415 Mich 1 (1982) No. 6421 on rehearing December 28, 1984. Consequently, the City would be entitled to the defense of governmental immunity from tort liability. MCLA 691.1407; MSA 3.996(107).

Based on the above stated facts and law, it is the recommendation of this office that this claim be denied.

Sincerely,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMAN BENAVIDES—

That we do not concur in the recommendations of the City Attorney and this claim be allowed and the City Clerk be and she is hereby directed to draw a

warrant on the City Treasurer in the amount of \$39.00 payable to Arnold Chacon.

Adopted by the following vote:

Unanimously.

March 15, 1985

President Charles Creamer
and Members of City Council

Re: Claim of Marsha Conlin

Dear President Creamer
and Members of City Council:

On February 12, 1985 the claimant filed a claim with the City Clerk alleging that as a result of malicious prosecution on the part of the City she incurred substantial attorney fees for which she is seeking reimbursement.

A review by our office indicates the following. On or about April 22, 1984 a police report was filed with the City Attorney's Office. The police report indicated that an individual was kicked by the claimant when the victim sought to deliver an Easter present to the claimant's minor son. The police report indicated that the victim had a bruise in the area where the victim told the police officer the claimant kicked her. As a result of a review of the police report, our office issued a complaint and warrant. Subsequently, this matter was scheduled for a pretrial in the City Attorney's Office. The claimant and her attorney were present at the pretrial and at that time due to an inability to resolve the situation, the matter was scheduled for jury trial. Subsequently, a jury trial date was set but the claimant waived her right to a jury trial and a formal hearing was scheduled in this matter on January 23, 1985. After conclusion of the testimony, the District Judge found the claimant not guilty.

Under Michigan law, the claimant must prove that as a result of the City's actions there was 1) special injury with interference with the Plaintiff's person or property; 2) the alleged malicious prosecution must have come to a legal determination in the claimant's favor; 3) the City had no probable cause; 4) the City acted with malicious motives in issuing its complaint and warrant. See *Drobzyk v Great Lakes Steel Corp*, 367 Mich 318 (1962).

Based upon the aforementioned facts and the law as stated above, it appears that the only element which the claimant can satisfy is the second element.

Therefore, based upon the aforementioned facts and the law stated above, it is the opinion of this office that no legal liability exists on the part of the City and therefore, it is the recommendation of this office that the claim be denied.

Sincerely,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMAN BENAVIDES—

That we do not concur in the recommendation of the City Attorney and this Claim be paid.

Much discussion was held.

By COUNCILMAN BENAVIDES—

I call for the question.

Adopted by the following vote:

Yeas: Councilmen Belen, Benavides, Lindemann, Schmidt, Worthington—5.

Nays: Councilmen Adado, Blair, Creamer—3.

By COUNCILMAN SCHMIDT—

That the amount of \$1059.16 be inserted as the amount to be paid.

By COUNCILMAN BENAVIDES—

That this claim be paid in the amount of \$1059.16.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Benavides, Lindemann, Schmidt—5.

Nays: Councilmen Blair, Creamer, Worthington—3.

DATE: 3/14/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Jo Flaherty

RE: Summary of activities relative to problems on S. Washington Ave. (Neighborhood Watch Area #133)

The attached correspondence is submitted for your information.

TERRY J. McKANE,

Mayor

By CLEOPHUS BOYD, Jr.
Exec. Assistant

Referred to the Committee on Public Properties and Safety.

DATE: 3/14/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Finance Director

RE: Transfer of funds.

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,

Mayor

Referred to the Committee on Ways and Means.

DATE: 3/6/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Marquette Street: Request to Change Name of Street

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,

Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 3/14/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Permit to Occupy Agreement: BWL/City of Lansing

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,

Mayor

Referred to the Committee on Public Properties and Safety, Committee on Ways and Means and Committee on Human Services and Intergovernmental Relations.

RESOLUTIONS

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas by petition filed on January 14, 1985 this Council was petitioned to establish a Lansing Commercial Redevelopment District CRD-1-85, pursuant to Public Act 255 of 1978; and

Whereas due notice has been given for a public hearing on said petition; and

Whereas at such hearing held on the 25th day of February, 1985, all parties interested therein were heard and given due consideration; and

Whereas the property involved is located at 121-123-125-127 W. Washtenaw Street, more particularly described as:

The West 109 feet of Lot 12 and the West 109 feet of North 42 feet of Lot 11, Block 128, Original Plat, City of Lansing, Ingham County, Michigan.

Whereas, after considering all the testimony to this Council, this Council has determined that the proposed District is zoned for commercial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity.

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-1-85 on the above described property.

Adopted by the following vote:

Unanimously

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas by petition filed on February 8, 1985 this Council was petitioned to establish a Lansing Commercial Redevelopment District CRD-4-85, pursuant to Public Act 255 of 1978; and

Whereas due notice has been given for a public hearing on said petition; and

Whereas at such hearing held on the 11th day of March, 1985, all parties interested therein were heard and given due consideration; and

Whereas the property involved is located at 419 Cherry Street, more particularly described as:

South 49.5 feet of the west 99 feet, Lot 1 and north 16.5 feet of the west 99 feet of Lot 2, Block

133, Original Plat, City of Lansing, Ingham County, Michigan.

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for commercial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity.

Now, Therefore, Be It Resolved, that the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-4-85 on the above described property.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-15-84 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, at 521-527 N. Capitol Ave.; and

Whereas, Gentilozzi Real Estate and Management Company has submitted an application for a Commercial Facilities Exemption Certificate for construction of a new facility within said Commercial Redevelopment District CRD-15-84; and

Whereas, a hearing was held on the Gentilozzi Real Estate and Management Company's application for an Exemption Certificate on February 25, 1984 at which time all interested persons had an opportunity to be heard; and

Whereas, Gentilozzi Real Estate and Management Company has met the requirements for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated March 13, 1985 attached hereto).

Now, Therefore, Be It Resolved, that the Council of the City of Lansing approves the application from Gentilozzi Real Estate and Management Company for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-15-84, to remain in effect for a period of twelve (12) years.

Adopted by the following vote:

Unanimously.

By THE COMMITTEE ON ECONOMIC DEVELOPMENT—

At a regular meeting of the City Council of the City of Lansing, Ingham County, Michigan, held at the City Hall in said City on the 18th day of March 1985, at 7:00 o'clock P.M., Eastern Standard Time.

Present: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt and Worthington.

Absent: None.

The following Resolution was offered by Councilmember Adado and seconded by Councilmember Belen.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING, INGHAM COUNTY, MICHIGAN AS FOLLOWS:

Whereas, the Michigan State Accident Fund (Fund) has been in existence for some seventy-three years serving the workers' compensation needs of Michigan employers and employees; and

Whereas, the Fund has now become one of the major private writers of workers' compensation insurance in Michigan and a leader and innovator in the field of providing affordable compensation rates to some fifteen thousand (15,000) employers within the State of Michigan; and

Whereas, the Fund also services all of the workers' compensation needs of the employees of the State of Michigan; and

Whereas, the Fund has experienced all of its growth and success while serving its clients from its home office headquarters in Downtown Lansing, said headquarters currently being located at the corner of Capitol Avenue and Washtenaw Street; and

Whereas, the Fund, and its 140 employees, have made a valuable contribution to the quality of life in the City of Lansing, not the least of which has been the payment of \$190,925.00 in property taxes over the past ten (10) years including the payment of Twenty-Eight Thousand Two Hundred and Six Dollars (\$28,206.00) in property taxes for the year 1984, as well as the payment of some \$84,322.00 in City Income Taxes by its Lansing based employees over the past ten (10) years; and

Whereas, the Fund, as a result of its remarkable success in the field of underwriting and marketing private workers' compensation insurance, now finds it necessary to expand its facilities to accommodate the needs of its ever-expanding roster of employees and policyholders; and

Whereas, the Fund has indicated, at least preliminarily, that it desires to add a five million dollar addition to its present headquarters and further intends to refurbish its existing facility, all to the benefit of the City of Lansing, its citizens, and the efforts of the Council to encourage new growth in the Downtown area;

Now, Therefore, Be It Resolved, that the Council of the City of Lansing, as follows:

1. That the staff of the City of Lansing be directed to make very proper effort to work with the Advisory Board and management of the Michigan State Accident Fund to facilitate the construction of a new Michigan State Accident Fund headquarters in Downtown Lansing.

2. That the Council herewith go on record in support of the efforts of the Michigan State Accident Fund to retain its status as a private insurance company thereby insuring that it will continue to be the strong tax paying corporate citizen of the City of Lansing that it has proved to be in the past.

Adopted by the following vote:

Unanimously.

STATE OF MICHIGAN)
) ss:
COUNTY OF INGHAM)

I, the undersigned, the duly qualified and acting City Clerk for the City Council of the City of Lansing, Do Hereby Certify that the foregoing is a true and complete copy of certain proceedings taken by the City Council of the City of Lansing at a regular meeting held on the 18th day of March, 1985.

RITA M. BAUMAN,
City Clerk

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

Resolved by the City Council of the City of Lansing:

That the reappointment of Mr. Tom Cathy and Mr. David Hayhow to the Downtown Mall Advisory Board are hereby confirmed as recommended by the Mayor. Terms will expire February 1, 1988.

Adopted by the following vote:

Unanimously

By COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff recommended denial, while the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a citizen petition for traffic control at the intersection of Luwanna Drive and Champion Way/Solomon Drive;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the installation of a Stop Sign on Luwanna Drive at Champion Way/Solomon Drive for a ninety day trial period.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff recommended denial of a citizen request for stop signs at the intersection of Solomon Drive and Stoneleigh Drive; and

Whereas, the Traffic Board recommended the installation of a Stop sign on Stoneleigh Drive for southbound traffic only; and

Whereas, the Committee on Public Properties and Safety recommended the installation of Stop signs on Stoneleigh Drive for northbound and southbound traffic;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the installation of Stop signs on Stoneleigh Drive at Solomon Drive for a ninety day trial period.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended denial of a citizen petition for a four-way stop sign control at the intersection of Averill Drive and Sandhurst Drive; and

Whereas, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have recommended approval of moving existing stop signs from Averill Drive to Sandhurst Drive;

Now, Therefore, Be It Resolved, the Lansing City Council hereby denies the request for four-way stop signs at Averill Drive and Sandhurst Drive and approves the removal of the two-way stop signs on Averill Drive and the installation of Stop signs on Sandhurst Drive at

Averill Drive.

BY COUNCILMAN BLAIR—

That this resolution be amended in the last paragraph by adding after Now, Therefore, Be It Resolved, "the Lansing City Council hereby concurs with the residents for 4-way stop signs at this intersection."

Lost by the following vote:

Yeas: Councilmen Benavides, Blair, Creamer, Schmidt—4.

Nays: Councilmen Adado, Belen, Lindemann, Worthington—4.

By COUNCILMAN LINDEMANN—

That we amend the last paragraph by adding "That the Traffic Department is directed to come back in 90 days with a report on how this is working."

Adopted by the following vote:

Unanimously.

The resolution as amended was:

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—7.

Nays: Councilman Blair—1.

By COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff recommended denial, while the Traffic Board, the Mayor and the Committee on Public Properties and Safety have recommended approval of a citizen request for traffic control at the intersection of Georgia Avenue and Just-A-Mere Avenue;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the installation of a Stop sign on Georgia Avenue at Just-A-Mere Avenue.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a citizen petition for changes in the parking regulations on Redner Street;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the installation of a No Parking 7am - 4pm Monday through Friday on both sides of Redner Street from Cedar Street to McCourt Street.

Adopted by the following vote:

Unanimously

By COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have recommended approval of a citizen petition for changes in the parking regulations

on Trinity Circle;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the installation of No Parking 7AM-4PM Monday through Friday on both sides of Trinity Circle.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended denial of a citizen request for changes in the parking regulations on Raider Street;

Now, Therefore, Be It Resolved, the Lansing City Council hereby denies the request for No Parking At Any Time on the west side of Raider Street and recommends upgrading the existing No Parking At Any Time signs in the cul-de-sac on the north end of Raider Street.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a citizen petition for traffic control at the intersection of Hazel Street and Parker Street;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves changing the existing Yield signs to Stop signs on Parker Street at Hazel Street.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a business request for changes in the parking regulations on Walnut Street;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the following parking restrictions on the east side of Walnut Street.

Delete Four Hour Metered Parking 8:00AM-6:00PM from Ionia St. to Saginaw St.

Add Four Hour Metered Parking 8:00AM-6:00PM from Ionia St. to Genesee St.

Add 30 Minute Metered Parking 8:00AM-6:00PM from Genesee St. to 95 feet north of Genesee St.

Add Four Hour Metered Parking 8:00AM-6:00PM from 95 feet north of Genesee St. to 180 feet south of Saginaw St.

Add No Parking At Any Time from 180 feet south of Saginaw St. to Saginaw St.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor has requested the City Council to join him in co-sponsoring a Volunteer Recognition Dinner at the Civic Center on April 26, 1985; and

Whereas, expenses for this dinner will be paid from the City Special Expenses Account without need of further appropriation; and

Whereas, the City Council believes that volunteers are deserving of special recognition for their contributions to the quality of life in our City;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves co-sponsorship of the Volunteer Recognition Dinner to be held Friday, April 26, 1985, at the Lansing Civic Center; and

Be It Further Resolved the City Council President is hereby designated as the Council's representative to approve details of this event in consultation with the Mayor.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BLAIR—

Resolved by the City Council of the City of Lansing:

Whereas, by resolution dated January 17, 1983, this City Council approved the firm of Touche Ross & Company to perform the annual external audit of the Board of Water and Light for a three-year cycle; and

Whereas, Touche Ross & Co. has submitted a proposal in the amount of \$23,800 (maximum fee) to audit the Board of Water and Light for the fiscal year ending June 30, 1985; and

Whereas, the Board of Water and Light and the City Controller have recommended approval of the proposal;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the retention of Touche Ross and Company to perform the annual audit of the Board of Water and Light for the fiscal year ending June 30, 1985, as specified in the Touche Ross proposal dated February 7, 1985.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BLAIR—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$200.00 from Estimated Revenues	A/C 101-000-000-160
\$200.00 to Police-Citizen Contributions	A/C 101-305-000-956
(Contribution from Robert L. Haynes)	

\$1,500.00 from Gen. Adm. Reserve for Contingency	A/C 101-941-000-963
\$1,500.00 to Waterfront Development Board	A/C 101-930-000-741
(To provide funds for the Waterfront Dev. Board in promoting implementation of the Waterfront plan to increase public access, use & development sensitive to public use.)	

(The balance in the Reserve for Contingency Fund after this transfer is \$255,336.38)

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinances of the City of Lansing, Michigan providing that the code of ordinances be amended by:

Repealing Sections 18-1 through 18-18, inclusive, of Chapter 18 for the purpose of providing for the regulation of recycling dealers by requiring their licensing in order to promote the public health, safety and welfare of the citizens of the City of Lansing.

Amending by adding a new Chapter 18, containing Section 18-1 through Section 18-22, inclusive, to provide for the regulation of recycling dealers by requiring their licensing in order to promote the public health, safety and welfare of the citizens of the City of Lansing.

was introduced by Councilman Lindemann, read a first and second time by their titles and referred to the Committee on Public Properties and Safety.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, March 25, 1985 at 7:00 P.M. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving the following Ordinances:

Repeal of Sections 18-1 through 18-18, inclusive, of Chapter 18 for the purpose of providing for the regulation of recycling dealers by requiring their licensing in order to promote the public health, safety and welfare of the citizens of the City of Lansing.

Amending by adding a new Chapter 18, containing Section 18-1 through Section 18-22, inclusive, to provide for the regulation of recycling dealers by requiring their licensing in order to promote the public health, safety and welfare of the citizens of the City of Lansing.

Adopted by the following vote:

Unanimously.

By COUNCILMEN BELEN & WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Planning Board unanimously approved the granting of a special land use permit (SLU-1-85) for property at 1500 East Cavanaugh Road and,

Whereas, the property is zoned "I" Heavy Industrial which allows the proposed activity, a portion of the building is within the 100 year flood plain and therefore requires a Special Use Permit,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby concurs with the recommendation of the Planning Board and approves the Special Land Use permit (SLU-1-85) for property at 1500 E. Cavanaugh Road legally described as:

the west ½ of the West ½ of SE ¼ line E of the Michigan Central Railroad Right of Way except COM SEC CENm thence 185.5 feet to MCRR ROW SE ¼ly along MCRR ROW 268 feet to open drain N 4 degrees 50 minutes east along said drain to the E and W ¼ line west 119 feet to the beginning SEC 34, T4N, R2W, City of Lansing, Ingham County, Michigan.

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinances of the City of Lansing, Michigan providing that the Code of Ordinances be amended by:

Providing for the repeal of Sections 2-17, 2-18 and 2-19 of Article II of Chapter 2 for the purpose of updating the Ordinance pertaining to the Office of Controller.

Providing that the code be amended by revising Article II of Chapter 2 by adding new sections numbered 2-44, 2-45 and 2-46 for the purpose of updating the Purchasing Ordinance.

Providing that the Code be amended by revising Article III of Chapter 2 by renumbering the sections and adding new Sections numbered 2-47 through 2-53 for the purpose of updating the Office of Controller Ordinance.

Providing for the repeal of Article IV of Chapter 2 containing Sections 2-57 and 2-58 for the purpose of updating the Purchasing Ordinance.

was introduced by Councilman Worthington, read a first and second time by their titles and referred to the Committee on General Services.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, March 25, 1985 at 7:00 P.M. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving the following Ordinances:

Amending the code by revising Article II of Chapter 2 by adding new sections numbered 2-44, 2-45 and 2-46 for the purpose of updating the Purchasing Ordinance.

Revising Article III of Chapter 2 by renumbering the sections and adding new Sections numbered 2-47 through 2-53 for the purpose of updating the Office of Controller Ordinance.

Adopted by the following vote:

Unanimously.

REMARKS BY THE MAYOR

None.

Richard Fiser thanked City Council for their vote of support for Special Land Use 1-85, 1500 E. Cavanaugh.

Ron Easlick, representing employees of Beumann-Marshall Co. spoke of the company being moved to Indiana and requested information from the Economic Development Corp.

Marvin Stump spoke regarding fire service on the Eastside of Lansing.

By COUNCILMAN CREAMER—

MARCH 18, 1985

COUNCIL PROCEEDINGS

108

That this meeting stand adjourned.

Carried.

Council adjourned at 10:20 P.M.

RITA BAUMAN,
City Clerk

March 18, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

109

Proceedings, March 25, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

March 25, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Belen.

Pledge of allegiance.

By COUNCILMAN SCHMIDT—

That the council proceedings of February 25, and March 4, 1985 be approved.

Carried.

PUBLIC HEARING

March 25, 1985 at 7:00 o'clock p.m. being the time set as the time for holding a public hearing on the proposed Industrial Facilities Exemption Certificate for Buick-Oldsmobile-Cadillac, General Motors Corp., 920 Townsend Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Industrial Facilities Exemption Certificate they had the privilege of speaking at this time.

Art Smith, representing the Buick-Oldsmobile-Cadillac Corp. spoke.

Referred to the Committee on Economic Development.

PUBLIC HEARING

March 25, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Ordinance providing that Chapter 1 of the Code of Ordinances be amended for the purpose of updating the general provisions Chapter of the Code of Ordinances.

The Council President announced that if there is anyone present who has any suggestions or objections to make to the proposed amendments to the Code of Ordinances they had the privilege of speaking at this time.

Referred to the Committee on General Services.

PUBLIC HEARING

March 25, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Ordinance amendment by revising Article II of Chapter 2 by adding new sections numbered 2-44, 2-45 and 2-46 for the purpose of updating the Purchasing Ordinance.

The Council President announced that if there is anyone present who has any suggestions or objections to make to the proposed Ordinance amendment they had the privilege of speaking at this time.

Referred to the Committee on General Services.

PUBLIC HEARING

March 25, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Ordinance amendment by revising Article III of Chapter 2 by renumbering the sections and adding new sections numbered 2-47 through 2-53 for the purpose of updating the Office of Controller Ordinance.

The Council President announced that if there is anyone present who has any suggestions or objections to make to the proposed Ordinance revision they had the privilege of speaking at this time.

Referred to the Committee on General Services.

PUBLIC HEARING

March 25, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Ordinance providing that Chapter 2 be amended by revising Section 2-97 for the purpose of updating the Senior Citizens Advisory Board Ordinance.

The Council President announced that if there is anyone present who has any suggestions or objections to make to the proposed Ordinance revision they had the privilege of speaking at this time.

Referred to the Committee on General Services.

PUBLIC HEARING

March 25, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Ordinance providing that Chapter 2 of the Code of Ordinances be amended by adding a new Section 2-122 for the purpose of establishing the qualifications for the Director of Labor Relations.

The Council President announced that if there is anyone present who has any suggestions or objections to make to the proposed amendments to the Code of Ordinances they had the privilege of speaking at this

time.

Referred to the Committee on General Services.

PUBLIC HEARING

March 25, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Ordinance for adding a new chapter 2A containing sections numbered 2A-1 through 2A-23, inclusive, for the purpose of updating the Urban Renewal Ordinance.

The Council President announced that if there is anyone present who has any suggestions or objections to make to the proposed Ordinance revision they had the privilege of speaking at this time.

Referred to the Committee on General Services.

PUBLIC HEARING

March 25, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed repeal of Sections 18-1 through 18-18, inclusive, of Chapter 18 of the Code for the purpose of providing for the regulation of recycling dealers by requiring their licensing in order to promote the public health, safety and welfare of the Citizens of the City of Lansing.

The Council President announced that if there is anyone present who has any suggestions or objections to make to the proposed Ordinance repeal they had the privilege of speaking at this time.

Referred to the Committee on Public Properties and Safety.

PUBLIC HEARING

March 25, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed ordinance amendment by adding a new Chapter 18, containing Section 18-1 through Section 18-22, inclusive, to provide for the regulation of recycling dealers by requiring their licensing in order to promote the public health, safety and welfare of the citizens of the City of Lansing.

The Council President announced that if there is anyone present who has any suggestions or objections to make to the proposed Ordinance amendment they had the privilege of speaking at this time.

Speaking in favor of the Ordinance were:

Helen LeBlanc, 2021 Cumberland representing River Forest Neighborhood Assoc.
John Boettjer, 2723 Arlington Rd.
Evelyn Dryer, 2110 Melvin Court
Al Schiebels, 2401 Delta River Dr.
Edward Hamilton, National Environmentalist
Al LeBlanc, 2021 Cumberland Rd.

Speaking as not in favor of Ordinance as written were:

Carl May, representing Universal Steel
Bob Hodges, 1521 Comfort St.
Dale Martin, representing Motor Wheel
Richard Haan, representing Oldsmobile
Bill Hollister, representing Universal Steel
Mary Haney, Irene Gross and Billie Wright of the North Lansing Community Association
James F. Anderton, Summit Steel
Irv Nichols, Executive Director of Mid-Michigan Chapter American Red Cross.

Referred to the Committee on Public Properties and Safety.

By COUNCILMAN WORTHINGTON—

I move that we recess for five (5) minutes.

City Council recessed at 8:30 P.M. and reconvened at 8:45 P.M.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Chris Baryames spoke regarding Communication #7.

Betty Shuppell, 129 Elm Street spoke regarding the Ordinance on Prostitution.

Helen LeBlanc, spoke regarding item #3 from the elected Officers Compensation Commission regarding wage increases.

Bryan Galloway spoke regarding his claim letter under City Attorney's letter.

Beverly Miller spoke regarding passage of Ordinance on Prostitution.

Charles Jurasec spoke regarding Cable T.V. Rate Increase, and 4-way stop needed on Pleasant Grove at Reo Rd.

Viola Verhoughstraete, 1800 Marquette St. and Heidi Claeys, 1717 Marquette Street, spoke regarding resolution 2b Change of name for their portion of Marquette St.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been submitted for licenses:

Auctioneer—Arthur L. Good
Rubbish Hauler—Bach Maintenance, Harte Enterprises
Beer and Wine Carry Out Stores—Drakes Village Market, 4301 S. Pennsylvania and 3125 S. Logan St.; Said M. Kadada, 807 E. Grand River Ave.
Cabaret—Silver Dollar
Mechanical Amusement Device—Gino's 7-11 Food Store (2525 E. Jolly), John Q's, Ramon's Restaurant, Moriarty's Pub, Capitol Park Hotel, Mac's Saloon.
Wrecker Service—Creditors Protection Service
Building Wrecker—G.B. Wrecking, Inc., Garry's Asphalt & Exc. Inc.
Peddlers—Carol S. Suffety
Sign Erectors—Wolverine Development Corp.

Referred to the Committee on General Services.

Notice received from John J. Schalter, Attorney, representing Ark hampton, Eaton Rapids, MI of intention to file claim against State of Michigan for injuries incurred in City on Route 127 near intersection of E. Kalamazoo St.

Referred to the City Attorney

Claims filed by:

- Sholty's Bar, 1819 S. Washington Ave. for damage to windows at 1817 S. Washington Ave. from snow plows.
- Laura Reckell, 1222 Parkdale, for replacement of automobile tire damaged from hitting a pot hole.

Referred to the Mayor and City Attorney.

Petition filed by residents for construction of curb and gutter and any necessary storm sewer on Ingham Street from Holmes Road to Fauna Avenue.

Referred to the Mayor and Public Service Board

Request for renewal of the final approval of preliminary plat for Tammany Hills No. 4 filed by Fred White Engineering Company.

Referred to Planning Board

Request for Commercial Redevelopment District to be established at the Northeast corner of E. Jolly Rd. and Tranter St. filed by Edward D. Cary, Quality Electric Co.

Referred to Mayor, Committee on Economic Development

Letter from Chris A. Baryames and Howard Z. Baker offering their business at 121 S. Washington Sq. as a place to pay parking violation fines.

Referred to Mayor, and Traffic Board and Committee on Public Properties and Safety

Michigan Municipal League submits letter for survey of Information Systems.

Referred to Mayor

MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:

No remarks

REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

- Auctioneer—Arthur L. Good
- Rubbish Hauler—Bach Maintenance, Harte Enterprises
- Beer and Wine Carry Out Stores—Drakes Village Market, 4301 S. Pennsylvania and 3125 S. Logan St.
- Said M. Kadada, 807 E. Grand River Ave.
- Cabaret—Silver Dollar
- Mechanical Amusement Device—Gino's 7-11 Food Store (2525 E. Jolly), John Q's, Ramon's Restaurant, Moriarty's Pub, Capitol Park Hotel, Mac's Saloon.
- Wrecker Service—Creditors Protection Service Building Wrecker—G.B. Wrecking, Inc., Garry's Asphalt & Exc. Inc.
- Peddlers—Carol S. Suffety
- Sign Erectors—Wolverine Development Corp.

Signed:

Sidney Worthington
Alfreda Schmidt
Charles Creamer
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

THE COMMITTEE ON HUMAN SERVICES & INTERGOVERNMENTAL RELATIONS—

To whom was referred the joint resolution of the City Council and Board of Education regarding responsibilities of the City Council/Board of Education Liaison Committee reports as follows: at the Liaison Committee meeting of March 19, 1985, we reviewed and approved a process for handling issues of mutual concern. This process (attached) is presented to the City Council for information purposes. Please note that a year-end report on Committee activities will be prepared and distributed

to the Board and Council.

Signed:

Alfreda Schmidt
Charles Creamer
Tony Benavides
Committee on Human Services and
Intergovernmental Relations

By COUNCILMAN SCHMIDT—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously

The COMMITTEE ON WAYS AND MEANS—

To whom was referred the Mayor's request for a \$39,020 transfer from Reserve Contingency to Property Management's Project Maintenance account for code compliance work and installation of smoke detectors in City facilities reports as follows: the Committee has denied the request for transfer at this time. The original appropriation for the Project Maintenance account has not been spent or encumbered for budgeted projects, so funds are available to complete the code compliance work in City facilities identified by the Fire Marshal. The Property Manager is authorized to use existing funds to proceed with this work. The Committee will review the work projects originally budgeted in this account and recommend those which may be deferred in favor of the higher priority code compliance work. Installation of smoke detectors may also be deferred until funds are available.

Signed:

James Blair
Patrick Lindemann
Tony Banavides
Committee on Ways and Means

By COUNCILMAN BLAIR—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously

The COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

To whom was referred the Ordinance revising Section 22-44 for the purpose of prohibiting solicitation and/or prostitution in vacant lots and providing for increased penalties for second or third convicted offenders for solicitation and/or prostitution reports as follows: that said Ordinance be approved.

Signed:

Patrick Lindemann
Louis Adado
Committee on Public Properties &
Safety

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—7.

Nays: Councilman Blair—1.

REPORTS OF CITY OFFICERS AND BOARD

March 15, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Alan Hahn

Dear President Creamer
and Members of City Council

On February 8, 1985, Alan Hahn re-submitted a claim for damage to his motorcycle. In the original claim, the claim had cited damages of \$174.55. Claimant now indicates that damage resulted to his motorcycle in the amount of \$302.00. Claimant submitted additional information indicating that the construction zone signs were not in place. Claimant indicates that he personally had a police officer observe the surroundings and that he and the police officer observed: "(1) one large bump where the removed surface met a concrete bridge. (2) No warning signs for either the bump or the other road conditions for repair. (3) Some signs were stacked and placed far from the road under repair. (4) Some of the immediately noticeable damage to my cycle."

The Lansing Police Department did respond to claimant's telephone call and dispatched an officer to investigate the scene. The report from the Lansing Police Department indicates that the claimant was still at the scene when the officer arrived. The police officer observed a 1- or 2-inch ridge where claimant indicates his motorcycle struck a bump. The officer does not recall any one singular large bump pointed out by the claimant at that time. The police officer did observe construction barriers in place in the area of the construction. The police officer does not specifically recall whether construction signs were in place. Further, the police officer went back and drove over the entire area claimant had just driven through at the speed limit and observed and felt nothing unusual throughout the construction zone. The officer did notice and reported visible damage to the claimant's motorcycle.

Additional information received from the city engineer indicates that construction began on Mt. Hope on June 22, 1984, and ended in October, 1984. Construction signs were placed and remained in place continuously throughout the construction period. Further, a sign and barricade storage area was located in the area of Sycamore Creek and it appears as though this is what claimant refers to as the stacked signs and barricades. The construction area was actually a re-surfacing of Mt. Hope Street involving planing of the old surface to a depth of 1- to 2-inches and covering with new asphalt.

The applicable law remains the same as when the claim was originally submitted in November of 1984. A re-investigation of the facts does not indicate any significant modification of the facts as originally reported.

Therefore, based upon the information above and the applicable laws, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

March 15, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Roger C. Bebee in the amount of \$260.00

Dear President Creamer
and Members of City Council

On December 7, 1984, Roger C. Bebee filed this claim for refund of two week cutting special assessments placed on a vacant lot located on the northwest corner of West Miller and Wise Road which the claimant subsequently paid under protest. Claimant was specially assessed \$130.00 for each weed cutting.

Mr. Bebee claims that sometime during the summer, he called the Building Division and notified a secretary that construction was being done on the parcel, and that if any problem existed with weed cutting, he would take care of it. Having received no further reply he assumed there was no problem.

Records by the Building Safety Division reveal no telephone or other contact with the claimant regarding weed cutting. Building Safety Division records reveal that on June 6, 1984, a notice of violation was sent to the claimant at his current address and on June 16, 1984, a reinspection occurred and an order was issued to the City contractor to cut the grass on the vacant parcel. Further, Building Safety records reveal that on August 9, 1984, another notice of violation was sent to the claimant at his current address and on August 19, 1984, a reinspection was made of the property. On August 22, 1984, an order was issued to the City contractor to cut the grass on the parcel and on August 29, 1984, the grass was cut.

The Building Safety Division pursuant to Section 17 of Chapter 21 of the Lansing City Code determined that a public nuisance existed on the parcel and abated the nuisance after written notice was given.

Based upon the above stated facts and law, it is the recommendation of this office that the claimant's request for a refund of \$260.00 be denied.

Respectfully submitted,

Stephen R. Sawyer,
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

March 15, 1985

President Charles Creamer
and Members of City Council

RE: Claim of William Burtch in the amount of \$60.00.

Dear President Creamer
and Members of City Council

The claimant is requesting reimbursement for the cost of replacement of eyeglass frames which were damaged beyond repair in an altercation while claimant was performing his duties as a police officer. While Officer Burtch was engaged in efforts to maintain crowd control at a residential fire, his eyeglass frames were broken by an hysterical individual whom he was attempting to physically restrain from entering the burning premises.

Where a municipal officer incurs a loss in the discharge of his official duty in a matter in which the corporation has an interest, and in the discharge of a duty imposed or authorized by law, and in good faith, the municipal corporation has the power to appropriate funds to reimburse him, unless expressly forbidden. The test in all such cases is, did the act done by the officer relate directly to a matter in which the city had an interest, or affect municipal rights or property, or the right or property of the citizens which the officer was charged with a duty to protect or defend? 3 McQuillin, Municipal Corporations (3d ed), Section 12.137, p518. In Michigan, there is neither a legal

prohibition against such reimbursement nor a legal obligation to do so. Court decisions have held that a municipality may reimburse its employees for expenses incurred in fulfilling their bonafide duties as public employees, although a municipality is not legally obligated to do so. *Horton v Kalamazoo*, 781 Mich App 78 (1978).

Based on the facts presented, there appears to be no question that Officer Burtch's loss resulted in the course of the performance of his duties as a police officer and not as a result of his negligence. It should be noted that Lansing Police Chief Gleason recommends approval of this claim.

Nevertheless, although it may seem somewhat unequitable, it is this office's duty to advise you that on a strictly legal basis, the City is not obligated to pay this claim.

Respectfully Submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMAN BENAVIDES—

That we do not concur in the recommendation of the City Attorney and this claim be paid and the City Clerk is hereby directed to draw a warrant on the City Treasurer in the amount of \$60.00 payable to William Burtch.

Carried.

March 25, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Sandra Norman

Dear President Creamer
and Members of City Council

As you know, some time ago the claimant complained to the City of adverse working conditions and harassment in her position as a Matron in the City jail.

Since that time, the City has investigated the matter, taken certain corrective actions, and conducted extensive negotiations with the claimant's representative to resolve her claim.

As a result of these negotiations, a proposed settlement of \$15,000 has been reached.

In light of the circumstances attendant to this claim, this office recommends that this claim should be granted in the amount of \$15,000.

Respectfully Submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of \$15,000 payable to Sandra Norman.

Carried.

March 22, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Mrs. Nancy L. Galloway

Dear President Creamer
and Members of City Council

Pursuant to the direction of the Committee of the

Whole, this claim has been returned to Council's agenda for consideration.

Although further investigation by the Public Service Department reveals that the cement block which damaged the claimant's vehicle was owned and installed by the City in the City's right of way, it remains this office's opinion that the City is not liable for the damage. Such parking barriers are of standard design and not unsafe to use. Neither does the fact that the block was covered by snow cause liability by the City. The owner of the adjacent property was obligated to remove the snow and, in any event, the driver of the vehicle should not have attempted to drive over snow piled to that height.

Based on the above, this office continues to recommend that this claim be denied.

Respectfully Submitted,

Stephen R. Sawyer,
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

DATE: 3/14/85

TO: President Creamer and Members, Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade application Capitol Chapter March of Dimes

Attached is an application for a parade permit from the above-referenced organization, scheduled for 8:00 a.m. on Saturday April 17, 1985, which has been approved by all the necessary departments.

Our personnel estimate this will cost the City a total of \$42.46, which represents two officers and two vehicles for one hour.

This is being sent to you for final action.

By COUNCILMAN BENAVIDES—

That said parade permit be approved inasmuch as all the necessary signatures have been obtained.

Carried.

DATE: March 19, 1985

TO: President Creamer and Members, Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application, Law Day Committee Run

Attached is an application for a parade permit from the above-referenced organization for a 5,000 meter run, scheduled for Saturday May 4, 1985, at 10:00 a.m., which has been approved by all the necessary departments.

Our personnel estimate this will cost the City a total of \$334.41, which represents (1) Sergeant, (3) Officers and (4) vehicles for (3) hours.

This is being sent to you for final action.

By COUNCILMAN BENAVIDES—

That said parade permit be approved inasmuch as all the necessary signatures have been obtained.

Carried.

DATE: March 15, 1985

TO: President Creamer and Members, Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application of Senior Power Day Steering Committee

Attached is an application for a parade permit from the above-referenced organization, scheduled for Wednesday, May 15, 1985, at 1:30 p.m., which has been approved by all the necessary departments.

Our personnel estimate this will cost the City a total of \$2,049.12, which represents (1) Sergeant, (11) officers, and (12) vehicles for (8) hours.

This is being sent to you for final action.

By COUNCILMAN BENAVIDES—

That said parade permit be approved inasmuch as all the necessary signatures have been obtained.

Carried.

DATE: March 14, 1985

TO: President Creamer and Members, Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application, North Lansing Community Association

Attached is an application for a parade permit from the above-referenced organization, scheduled for 10:00 a.m. on Saturday, June 1, 1985, which has been approved by all the necessary departments.

Our personnel estimate this will cost the City a total of \$84.92, which represents two officers and two vehicles for two hours.

This is being sent to you for final action.

By COUNCILMAN BENAVIDES—

That said parade permit be approved inasmuch as all the necessary signatures have been obtained.

Carried.

March 20, 1985

City Council President Charles Creamer and Lansing City Councilmembers

Dear President Creamer and Councilmembers,

The Elected Officers Compensation Commission has completed its review of the compensation paid to elected officials in the City of Lansing and submits the following recommendations:

Recommendation I—Mayor

The Commission recommends that the present salary for the position of Mayor, which is \$45,510, be increased to \$47,786 as of April 1, 1985. It is further recommended that the salary for this position be increased as of January 1, 1986 to \$49,697. Finally, a salary increase to \$51,685 should be effective October 1, 1986.

Recommendation II—City Clerk

It is the recommendation of the Elected Officers Compensation Commission that the present salary of the Clerk of the City of Lansing, which is \$31,421, be increased as of July 1, 1985 to \$32,992. We further recommend that as of July 1, 1986 the Clerk's salary be increased to \$34,642.

Recommendation III—City Councilmembers

It is the recommendation of the Commission that the present salary of the members of the City Council, which is \$8,285, be increased as of July 1, 1985 to \$8,699, and further increased as of July 1, 1986 to \$9,134.

The Commission, in making the above recommendations, looked at the internal inequities and external comparable positions. Since 1983, eleven of the eighteen Executive Management positions working under the Mayor have been compensated at a higher salary. The Commission attempted to address this issue two years ago, but the recommendation failed to rectify the problem. Our recommendation of a 5% increase effective April 1, 1985, a 4% increase effective January 1, 1986, and an additional 4% increase effective October 1, 1986 will improve the relative value of the position of Mayor with the Executive Management compensation plan. It does not correct the internal inequity that continues to exist.

The position of City Clerk continues to be a very responsible position. The Commission recommends that this position be increased 5% a year.

The Commission in recommending a 5% per year increase for councilmembers, recognizes that there have been no salary increases for the past five years for these positions.

Rejection of the above recommendations will compound the inequities apparent in the compensation of our elected officials and further complicate the role for which the Elected Officers Compensation Commission exists.

Respectfully Submitted,

Harlow M. Claggett, Chairperson
Elected Officers Compensation
Commission

Referred to the Committee of the Whole

March 21, 1985

Council President Charles Creamer and Lansing City Councilmembers

Dear Council President Creamer and City Councilmembers,

I herewith submit to you for your consideration and confirmation Mr. Stephen O. Schultz and Mr. Michael Farley to serve as temporary Directors on the EDC Michigan Biotechnology Institute project.

Mr. Schultz resides at 2405 Artisan Dr. and is an attorney with Foster, Swift, Collins, and Coey. He is a member of the American Bar Association, the State Bar Association, and the president of the Forest View Neighborhood Association.

Mr. Farley resides at 2411 Provincial House Dr. and is employed as a research analyst with the State Legislature. He is an active member of the Lansing Neighborhood Council, and the Forest View PTA.

I trust you will give careful consideration to the appointment of Mr. Stephen O. Schultz and Mr. Michael Farley to this important project.

Best personal regards.

Sincerely yours,

Terry J. McKane,
Mayor

Referred to the Committee on Economic Development

March 21, 1985

Council President Charles Creamer
and Lansing City Councilmembers

Dear Council President Creamer
and City Councilmembers,

I herewith submit to you for your consideration and confirmation the appointment of Priscilla Holmes to the Board of Zoning Appeals. The term will expire in 1987.

Ms. Holmes resides at 220 Reo Ave. and is a certified Hearing Technician. She is an active member of the community which includes participation in the Civitan Club and the Lansing Neighborhood Council, CDC #4.

I trust you will give careful consideration to the appointment of Priscilla Holmes to this important Board.

Best personal regards.

Sincerely yours,

Terry J. McKane,
Mayor

By COUNCILMAN BELEN—

That we concur in the recommendation of the Mayor and appoint Priscilla Holmes to the Board of Zoning Appeals.

Carried.

DATE: March 21, 1985

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from City Controller

RE: Waverly Meadows Subdivision/release of funds

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the Mayor and the financial security in the amount of \$1295.00 be released for the Waverly Meadows Subdivision Plat.

Carried.

DATE: March 21, 1985

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Dept.

RE: Z-1-85, 1000 Block East Main St.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to Committee on Physical Development

DATE: March 21, 1985

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Dept.

RE: Z-4-85, 902-914 East Oakland Ave.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to Committee on Physical Development

DATE: March 21, 1985

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Dept.

RE: Z-5-85, 112 Hazel/1018 S. Grand Ave.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to Committee on Physical Development

DATE: March 15, 1985

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Police Chief

RE: False Alarm Ordinance

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to Committee on Public Property and Safety

DATE: March 18, 1985

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Russell Brown, Exec. Director, Capital Region Airport Authority

RE: Proposed budget for FY 85-86 for Capital City Airport and Mason Jewett Field.

The attached correspondence is submitted for your information

Terry J. McKane,
Mayor

Received and placed on file.

DATE: March 15, 1985

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Building Safety Division

RE: Trash Removal Assessment - U-28 July Tax Roll \$1,173.42.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the Mayor and this trash removal assessment in the amount of \$1,173.42 be placed on the July 1985 Tax Roll - U-28.

Carried.

DATE: March 21, 1985

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Dept.

RE: Tax Exemption Certification Application Review

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to the Committee on Economic Development

DATE: March 20, 1985

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Transportation Division

RE: Traffic Code Revision: Sec. 31-184 Angle Parking, Schedule VII.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to Committee on Public Property and Safety

DATE: March 21, 1985

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Transportation Division

RE: Cedar Street/Ingham County Human Services Building Driveway: Traffic Signal Request

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to Committee on Public Property and Safety

DATE: March 20, 1985

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence

from Transportation Division

RE: Donald Street and Everettdale Ave., Stop Sign Request

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to Committee on Public Property and Safety

DATE: March 20, 1985

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Transportation Division

RE: Holmes Road and Washington Avenue, Signal Improvements for West Side Deli

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to Committee on Public Property and Safety

DATE: March 20, 1985

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Transportation Division

RE: Request for Left Turn Phase on Pennsylvania Ave. at Jolly Rd.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to Committee on Public Property and Safety

DATE: March 21, 1985

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Dept.

RE: Planning Board recommendation re: boundaries for the Green Oaks Target Area.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to Committee on Physical Development

DATE: March 20, 1985

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence

from Daniel C. Allison

RE: Trash pick-up

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Received and placed on file

DATE: March 20, 1985

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Correspondence from Robert Bassett/Records Management Services—State of Michigan

RE: Letter of appreciation for visit to City's Microfilm Dept.

The attached correspondence is submitted for your information.

TERRY J. MCKANE,
Mayor

Received and placed on file

DATE: March 21, 1985

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Finance Division

RE: Transfer of funds

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to Committee on Ways and Means

DATE: March 20, 1985

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence to Ronald W. Park, Governmental Affairs (Con-rail) Department of Michigan

RE: Lansing Electric Railroad Museum

The attached correspondence is submitted for your information.

Terry J. McKane,
Mayor

Received and placed on file

RESOLUTIONS

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

That the request from RBC Ltd. for transfer of ownership of a 1983 B-Hotel licensed business with Dance Permit, located at 500 South Capitol Avenue, Lansing, from the Capitol Park Motor Hotel, Inc., is hereby approved.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Whereas, the City of Lansing has been trying to market property located at 5647 Hughes Road known as the Maple Grove Community Center since 1982, and

Whereas, many offers to purchase have been rejected due to the proposed use of the property by interested persons, and

Whereas, Mr. Roy C. Markey has presented an offer to purchase the property, and

Whereas, Mr. Markey will be responsible for the demolition of the deteriorated structure as well as any improvements to the property,

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby authorizes the sale of parcel #3305-05-326-031 legally described as (the Southeasterly 150 feet of lot 2 supervisor's plat of Valaeus Subdivision (150' X 134.9') commonly known as 5647 Hughes Road, to Mr. Roy C. Markey for the sum of (\$8000) Eight Thousand and 00/100 dollars, and

Be It Further Resolved, the Mayor and Property Manager are authorized to proceed forthwith on the requisite legal matters to consummate this sale, and

Be It Finally Resolved, proceeds from the sale of this property shall be designated for park land development in the general area.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor, and the Committee on Public Properties and Safety have all recommended approval of a citizen request to change the name of the far west section of Marquette Street,

Now, Therefore Be It Resolved, the Lansing City Council hereby approves changing the name of Marquette Street (1600, 1700, and 1800 blocks) to Shady Oak Lane.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, by City Council policy resolution passed March 24th, 1980, the City of Lansing went on record denouncing the blight on this city in the form of street prostitution, and

Whereas, in spite of stepped up enforcement, harsher penalties and increased police attention to the problem, many of our neighborhoods are still seriously afflicted with the repugnant indignities associated with street prostitution, and

Whereas, the policy of this city has been and will continue to be, one of adamant, relentless opposition to sexual solicitations in our neighborhoods, in our commercial zones, on vacant lots or any place within these corporate limits,

Now, Therefore, be It Resolved, the City Council of the City of Lansing officially reiterates, reaffirms and re-emphasizes its dedication to the elimination of street

prostitution in Lansing, and

Be It Further Resolved, the Council hereby officially encourages the administration to redouble its efforts to bring this community problem under control.

Adopted by the following vote:

Unanimously

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Richard Council #788 of the Knights of Columbus will be holding its 10th annual Tootsie Roll Drive on March 29th, 30th and 31st, and

Whereas, monies collected during this year's fund raising effort will be used to aid the mentally retarded, with approximately 85% of the dollars donated to be returned from the State Council for distribution among agencies right here in the Lansing area, and

Whereas, over 700 Knights from this district will be on the streets soliciting your contributions for this most worthy cause, and

Whereas, the 285,000 mentally retarded citizens and adults in the State of Michigan will benefit from your generosity.

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially salutes the Knights of Columbus in their compassionate endeavor, and

Be It Further Resolved, on behalf of the citizens of Lansing we sincerely hope you exceed your \$20,000 goal.

Adopted by the following vote:

Unanimously

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, The North Lansing Community Association has served the residents of North Lansing well since the early seventies, and

Whereas, the N.L.C.A. will be coordinating all aspects of this years "Fun Fest", and

Whereas, this years activities will include a raffle for which a State of Michigan License must be issued, and

Whereas, official recognition from the local governing body must be obtained,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially recognizes the North Lansing Community Association as a non-profit corporation involved in community oriented activities since January 17, 1975.

Adopted by the following vote:

Unanimously

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Ad Hoc Committee on the Exhibition Center has recommended approval of the Physical Design changes to the Exhibition Center, and

Whereas, the City Council approved the proposed modifications to the Exhibition Hall and the concept of funding the pedways by means of parking system revenues on March 11th, 1985, and

Whereas, the City is reluctant to make further expenditures for the Exhibition Center project prior to a commitment from the Hotel Developers,

Now, Therefore, Be It Resolved, the City Council of Lansing hereby recommends prohibiting the expenditure of any additional funds appropriated for the Exhibition Center project until such time as the Developer of the 1000 Block Hotel provides the city with a written document which guarantees the construction of the Hotel.

By COUNCILMAN BLAIR—

That this resolution be amended in the 4th Paragraph, 3rd line to read "100" Block Hotel, not 1000 Block.

Carried.

The resolution as amended was adopted by the following vote:

Unanimously

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Ad Hoc Committee on the Exhibition Hall/Civic Center has reviewed and discussed several aspects of the proposed agreement between the City of Lansing and the developer for the 100 block hotel, and

Whereas, the catering policy for the Exhibition Center was thoroughly discussed, clarified and presented to the Committee of the Whole on March 21st, 1985,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby approves the general catering policy agreed to by the Developers, (the Churchill Company) which includes the following points.

A. The Exhibition Center shall be equipped initially with a warming kitchen and after two years of operation the City Council will thoroughly review and evaluate the advisability of maintaining a warming kitchen vs a full service kitchen in light of the Exhibition Center's performance in the competitive market.

B. The City agrees to a semi-exclusive catering approach for the 100 Block Hotel which would allow the Hotel to be responsible for the catering arrangements for any groups or associations which book events at the Exhibition Hall through the Hotel or designate the 100 Block Hotel as the headquarters for their particular convention or program.

C. Preference will be given to local greater Lansing area caterers on an event by event basis.

D. The Block 100 Hotel agrees no surcharge will be applied to the rental of space at the Exhibition Center.

E. The semi-exclusive approach to catering in the Exhibition Center will also be reviewed and evaluated after two years of operation.

Adopted by the following vote:

Unanimously

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

\$15,000.00 from Reserve
for Contingency A/C 101-941-000-963
\$15,000.00 to General Admin.-Claims
(To provide funds for payment of legal claims as
(authorized by
City Council) A/C 101-930-000-963

The balance in Reserve for Contingency Fund after this transfer is \$240,336.28.

I hereby certify that this is a properly drawn and eligible transfer.

Jan Lazar
Budget Director

Approved:
James Blair
Patrick Lindemann
Tony Benavides

By COUNCILMAN BLAIR—

That the resolution in regard to transfer of \$15,000.00 be amended as follows:

That the following paragraph be added after the last sentence:

"Be It Further Resolved, the Council requests a report from the Board of Police Commissioners outlining their implementation plan for the city's recently enacted sexual harrassment ordinance within 60-days".

Carried

By COUNCILMAN BLAIR—

That this resolution be further amended by changing the time of 60-days to read 45-days.

Carried

The resolution as amended was adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

\$2,000.00 from Worker's Comp.
Payroll-Salary A/C 765-958-000-959.03
\$2,000.00 to Worker's Comp. Insurance
(Insurance premium adjustment)
A/C 765-958-000-910

Recommended by:
Jan Lazar
Budget Director

I hereby certify that this is a properly drawn and eligible transfer.

James W. Dowsett
Finance Director

Approved:

James Blair
Patrick Lindemann
Tony Benavides

Ways and Means Committee

Adopted by the following vote:

Unanimously

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan providing that the code of ordinances be amended by:

Establishing Chapter 27C to consist of Sections 27C-1 to 27C-9 inclusive, the provide for and regulate the regulations, collection, pretreatment and treatment of industrial waste, for collection of the costs and penalties for the violation of this Ordinance

was introduced by Councilman Creamer read and first and second time by its title and referred to the Committee on Public Properties and Safety

By COUNCILMAN CREAMER—

Resolved by the City Council of the City of Lansing:

That a public hearing be held in the 10th Floor Council Chambers at 7:00 p.m. on April 1, 1985 for the ordinance establishing Chapter 27C to consist of Sections 27C-1 to 27C-9 inclusive, the provide for and regulate the regulations, collection, pretreatment and treatment of industrial waste, for collection of the costs and penalties for the violation of this Ordinance.

Adopted by the following vote:

Unanimously

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan providing that the code of ordinances be amended by:

Amend Chapter 31 by revising Section 31-175 for the purpose of providing for additional situations where vehicles may be towed and setting the fee for impoundment of said vehicles

was introduced by Councilman Blair read and first and second time by its title and referred to the Committee on Public Properties and Safety

By COUNCILMAN BLAIR—

Resolved by the City Council of the City of Lansing:

That a public hearing be held in the 10th Floor Council Chamber at 7:00 p.m. on April 1, 1985 for the ordinance revising Section 31-175 for the purpose of providing for additional situations where vehicles may be towed and setting the fee for impoundment of said vehicles.

Adopted by the following vote:

Unanimously

INTRODUCTION OF ORDINANCES

The following ordinances of the City of Lansing, Michigan providing that the code of ordinances be amended by:

Amend Chapter 3 by revising Section 3-2 and Section 3-3 for the purpose of prohibiting signs and advertisements upon public buildings, trees and shrubs and creating civil penalties for violations.

Amend Chapter 4 by revising sections 4-22, 4-23, 4-26, 4-27 and 4-28 for the purpose of updating regulations pertaining to Cabarets.

Repeal of Chapter 5 containing sections 5-1 through 5-41, inclusive, for the purpose of updating the ordinance concerning Amusements.

Repealing Chapter 7 containing Sections 7-1 through 7-9, inclusive, for the purpose of updating the ordinance concerning Auctions.

Adding a new Chapter 7 containing sections numbered 7-1 through 7-18, inclusive, for the purpose of updating the ordinance concerning Auctions.

Amend Chapter 9A by revising sections 9A-2, 9A-4, and 9A-14 for the purpose of updating the Lansing Uniform Housing Code.

Repeal of Article II of Chapter 9, containing sections numbered 9-26 through 9-92, inclusive, for the purpose of providing for a new Lansing Uniform Sign Code.

Adding a new Chapter 9D to Chapter 9, containing sections numbered 9D-1 through 9D-16, inclusive, for the purpose of providing for a new Lansing Uniform Sign Code.

Add a new Chapter 14 for the purpose of adopting the Uniform Fire Code was introduced by Councilman

Worthington were read a first and second time by their titles and referred to the Committee on General Services.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That a public hearing be held in the 10th Floor Council Chambers at 7:00 p.m. on April 1, 1985 for the following Ordinances:

Amend Chapter 3 by revising Section 3-2 and Section 3-3 for the purpose of prohibiting signs and advertisements upon public buildings, trees and shrubs and creating civil penalties for violations.

Amend Chapter 4 by revising sections 4-22, 4-23, 4-26, 4-27 and 4-28 for the purpose of updating regulations pertaining to Cabarets.

Adding a new Chapter 5 containing sections numbered 5-1 through 5-30 for the purpose of updating code provisions concerning Amusements.

Adding a new Chapter 7 containing sections 7-1 through 7-18, inclusive, for the purpose of updating the ordinance concerning Auctions.

Amend Chapter 9A by revising sections 9A-2, 9A-4, and 9A-14 for the purpose of updating the Lansing Uniform Housing Code.

Adding a new Chapter 9D to Chapter 9, containing sections numbered 9D-1 through 9D-16, inclusive, for the purpose of providing for a new Lansing Uniform Sign Code.

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan providing that the code of ordinances be amended by:

Providing that a new Chapter 14 be added to the Code for the purpose of adopting the Uniform Fire Code

was introduced by Councilman Worthington read a first and second time by its title and referred to the Committee on Public Properties and Safety

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That a public hearing be held in the 10th Floor Council Chambers at 7:00 p.m. on April 15, 1985 for the Ordinance adding a new Chapter 14 for the purpose of adopting the Uniform Fire Code.

Adopted by the following vote:

Unanimously

ORDINANCES

By COUNCILMAN LINDEMANN—

The committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by:

revising Section 22-44 for the purpose of prohibiting solicitation and/or prostitution in vacant lots and providing for increased penalties for second or third convicted offenders for solicitation and/or prostitution.

and recommended that the ordinance be passed.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing,

that the Ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by revising section 22-44 for the purpose of prohibiting solicitation and/or prostitution in vacant lots and providing for increased penalties for second or third convicted offenders for solicitation and/or prostitution.

be placed on order of immediate passage.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by revising section 22-44 for the purpose of prohibiting solicitation and/or prostitution in vacant lots and providing for increased penalties for second or third convicted offenders for solicitation and/or prostitution.

be now passed.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—7.

Nays: Councilman Blair—1.

ORDINANCE NO. 695

An Ordinance of the City of Lansing, Michigan, providing that Chapter 22 of the Code of Ordinances of the City of Lansing, Michigan be amended by revising Section 22-44 for the purpose of prohibiting solicitation and/or prostitution in vacant lots and providing for increased penalties for second or third convicted offenders for solicitation and/or prostitution.

The City of Lansing Ordains:

Section 1. That Chapter 22 of the Code of Ordinances of Lansing, Michigan, be amended by revising Section 22-44 to read as follows:

(a) For purposes of this section "prostitution" shall mean the engaging in the act of sexual intercourse whether vaginal or oral between persons other than husband and wife for money or other consideration. For the purposes of this section "lewd or immoral conduct" shall mean the engaging in conduct for money or other consideration by persons other than husband and wife where the genitals, pubic area or female breasts come in contact with some part of the body of the other for the purpose of sexual arousal or gratification.

(b) No person shall:

(1) Offer to engage in, engage in or accost, solicit or invite another person by words, gestures or other means to commit any act of prostitution or to do any other lewd or immoral conduct.

(2) Transport any person to any place, structure, house, building, vacant lot or parking lot for the purpose of enabling the person transported to engage in an act of prostitution or to do any other lewd or immoral conduct.

(3) Knowingly attend, frequent, operate or be an occupant or inmate of any place where prostitution or other lewd or immoral conduct is permitted or conducted.

(4) Knowingly allow any premises owned, occupied or controlled by him to be used or occupied by persons engaged in (any) act of prostitution or other lewd or immoral conduct.

(5) Receive or admit or offer to receive or admit any person into any place, structure, house, building or vehicle for the purpose of prostitution or other lewd or immoral conduct or knowingly permit any person to remain in any such place for any such purpose.

(c) Penalty, first, second, or third and subsequent convictions.

(1) Upon a first conviction for a violation of this section, the defendant shall be sentenced to a term of imprisonment for not less than seven (7) days nor more than ninety (90) days and shall be fined not less than two hundred and fifty dollars (\$250.00) nor more than five hundred dollars (\$500.00).

(2) Upon a second conviction for a violation of this section, the offense being charged as a second offense, the defendant shall be sentenced to a term of imprisonment for not less than thirty (30) days nor more than ninety (90) days and shall be fined not less than three hundred fifty dollars (\$350.00) nor more than five hundred dollars (\$500.00).

(3) Upon a third or subsequent conviction for a violation of this section, the offense being charged as a third or subsequent offense, the defendant shall be sentenced to a term of imprisonment for not less than nor more than ninety (90) days and shall be fined not less than nor more than five hundred dollars (\$500.00).

(d) Subsection 22-44(b) shall not apply to a law enforcement officer while in the performance of his or her duties as a law enforcement officer.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN WORTHINGTON, LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, changes in Federal tax law and Internal Revenue Service Regulations require that the City and its employees maintain certain records and make various reports in connection with the use of City owned vehicles by the City's officers and employees; and

Whereas, Federal Regulations require that the City as a whole decides which of the methods specified by those regulations it will utilize in such reporting for valuing the use of City owned vehicles;

Now, Therefore, Be It Hereby Resolved that pursuant to Section 1.61-2T of 26 CFR Part 1, wherever possible, the City of Lansing elects to utilize the special rule pertaining to the valuation of employer provided road vehicles not available for personal use other than commuting as specified in questions and answers 20 through 22 of that regulation and that for the calculation of the value of availability of City provided road vehicles to City officers and employees, where the previously mentioned special rule with regard to commuting does not apply, the City of Lansing elects to calculate the annual lease value, other use value and the value of fuel provided pursuant to the provisions of the special rules set forth in questions and answers 11 through 19 of the above cited regulation.

Adopted by the following vote:

Unanimously

The following ordinance of the City of Lansing, Michigan providing that the code of ordinances be amended by:

Providing that Chapter 24A of the Code be amended by revising Section 24A-6 for the purpose of creating a board in uniformity with 1984 PA 260 was introduced by Councilman Lindemann read and first and second time by its title and referred to the Committee on Public Properties and Safety

By COUNCILMAN LINDEMANN

Resolved by the City Council of the City of Lansing:

That a public hearing be held in the 10th Floor Council Chambers at 7:00 p.m. on April 8, 1985 for the ordinance amending Chapter 24A by revising Section 24A-6 for the purpose of creating a board in uniformity with 1984 PA 260 - Mall Advisory Board.

REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

Parking enforcement in the 1700 Block W. Shiawassee St.

Mall cleanup

Street clean-up in Washington Mall

Remarks regarding Board of review extension of hours.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 10:20 P.M.

RITA BAUMAN,
City Clerk

March 25, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

122

Proceedings, April 1, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

April 1, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Benavides

Pledge of allegiance was lead by Tyrone Boyd

**HEARING ON PROPOSED CHANGE IN
ZONING CLASSIFICATION**

April 1, 1985, at 7:00 o'clock bring the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983 said proposed amendment being as follows:

That property described as: Z-32-84—2726 N. Grand River Ave. to be rezoned from "F" Commercial and "J" Parking Districts to "G-2" Wholesale District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code they had the privilege of speaking at this time.

No objections were made to the proposed amendment.

Referred to the Committee on Physical Development

**HEARING ON PROPOSED CHANGE IN
ZONING CLASSIFICATION**

April 1, 1985, at 7:00 o'clock bring the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983 said proposed amendment being as follows:

That property described as: Z-33-84—5124 S. Pennsylvania Ave. to be rezoned from "A" Residential District to "F" Commercial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code they had the privilege of speaking at this time.

No objections were made to the proposed amendment.

Referred to the Committee on Physical Development

HEARING ON PROPOSED CHANGE IN

ZONING CLASSIFICATION

April 1, 1985, at 7:00 o'clock bring the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983 said proposed amendment being as follows:

That property described as: Z-2-85—1620 - 1730 Sunset Ave. to be rezoned from "A" Residential, "H" Light Industrial and "F" Commercial Districts to "I" Heavy Industrial Districts.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code they had the privilege of speaking at this time.

No objections were made to the proposed amendment.

Referred to the Committee on Physical Development

PUBLIC HEARING

April 1, 1985 at 7:00 o'clock p.m. being the time set as the time for holding a public hearing on the proposed ordinance amendment to Chapter 3 by revising Section 3-2 and Section 3-3 for the purpose of prohibiting signs and advertisements upon public buildings, trees and shrubs and creating civil penalties for violations.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance amendment they had the privilege of speaking at this time.

No person spoke.

Referred to the Committee on General Services

PUBLIC HEARING

April 1, 1985 at 7:00 o'clock p.m. being the time set as the time for holding a public hearing on the proposed ordinance amending Chapter 4 by revising sections 4-22, 4-23, 4-26, 4-27 and 4-28 for the purpose of updating regulations pertaining to Cabarets.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance amendment they had the privilege of speaking at this time.

No person spoke.

Referred to the Committee on General Services

PUBLIC HEARING

April 1, 1985 at 7:00 o'clock p.m. being the time set as the time for holding a public hearing on the proposed ordinance adding a new Chapter 5 containing sections numbered 5-1 through 5-30 for the purpose of updating code provisions concerning Amusements.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance they had the

privilege of speaking at this time.

No person spoke.

Referred to the Committee on General Services

PUBLIC HEARING

April 1, 1985 at 7:00 o'clock p.m. being the time set as the time for holding a public hearing on the proposed ordinance by adding a new Chapter 7 containing sections numbered 7-1 through 7-18, inclusive, for the purpose of updating the ordinance concerning Auctions.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance they had the privilege of speaking at this time.

No person spoke.

Referred to the Committee on General Services

PUBLIC HEARING

April 1, 1985 at 7:00 o'clock p.m. being the time set as the time for holding a public hearing on the proposed ordinance amending Chapter 9A by revising sections 9A-2, 9A-4, and 9A-14 for the purpose of updating the Lansing Uniform Housing Code.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance amendment they had the privilege of speaking at this time.

No person spoke.

Referred to the Committee on General Services

PUBLIC HEARING

April 1, 1985 at 7:00 o'clock p.m. being the time set as the time for holding a public hearing on the proposed ordinance adding a new Chapter 9D to Chapter 9, containing sections numbered 9D-1 through 9D-16 inclusive, for the purpose of providing for a new Lansing Uniform Sign Code.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance they had the privilege of speaking at this time.

Councilmember Worthington wanted it noted that Ronald Haas of Central Advertising Co., had concerns for this ordinance and was sending a letter to be included with this public hearing.

No person spoke.

Referred to the Committee on General Services

PUBLIC HEARING

April 1, 1985 at 7:00 o'clock p.m. being the time set as the time for holding a public hearing on the proposed ordinance establishing Chapter 27C to consist of Sections 27C-1 to 27C-9 inclusive to provide for and regulate the regulation, collection, pretreatment, and treatment of industrial waste, for collection of the costs therefor and penalties for the violation of this Ordinance.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance they had the privilege of speaking at this time.

Referred to the Committee on Physical Development

PUBLIC HEARING

April 1, 1985 at 7:00 o'clock p.m. being the time set as the time for holding a public hearing on the proposed ordinance to amend Chapter 1 by revising 31-175 for

the purpose of providing for additional situations where vehicles may be towed and setting the fee for impoundment of said vehicles.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance amendment they had the privilege of speaking at this time.

Referred to the Committee on Public Properties and Safety

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Robert Lannen spoke regarding communication on police protection.

Bill Jakovac, 220 Marshall St., spoke regarding resolution for Holmes Rd. and So. Washington Ave. Signal Improvements (Westside Deli)

Speakers regarding the Introduction of Ordinance for Animals and Fowl were:

James Panetta, 1005 Hapeman St.
Steve Tokarski, 323 Astor
Dale Hawkins, 2617 Victor
James Brown, Pet Store owner.
Theresa Moran, 600 S. Francis, representing Michigan Society of Herpetologists

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been submitted for licenses:

Rubbish Hauler: Delbert L. Price
Cabaret: Parthenon Restaurant & Lounge
Second Hand Dealer: Kelley's; Ramseys and Son
Bicycle Sales and Repair
Sign Erectors License: Huron Advertising Co., Inc
Ice Cream Peddler License: Mister Jolly Ice Cream, Inc.

Referred to the Committee on General Services

Suit filed in Circuit Court:

a. Bruce Smith vs City of Lansing and Grand Trunk Western Railroad Co. for injuries received due to truck he was driving being too tall to pass under the railroad bridge.

Referred to the Mayor and City Attorney

b. Nancy Luna, through her next friend Nancy Luna vs City of Lansing and William Carthen for mental and emotional trauma from witnessing a breaking and entering at her home.

Referred to the Mayor and City Attorney and Housing Commission

Claims filed by:

a. George Platis, Attorney, for injuries sustained in a fall on downtown street on March 7, 1985.

b. Lansing Mercy Ambulance Service, Inc. for two calls due to Fire Department ambulance not being available.

Referred to the Mayor and City Attorney

Request for commercial tax abatement filed by Art C. Baryames for expansion of Baryames Cleaners main processing plant located at 2423 S. Cedar St.

Referred to the Mayor and Committee on Economic

Development

Letter of complaint from Beatrice C. Ivey, 711 W. Lenawee, in regard to police protection in Lansing.

Referred to the Mayor

Attila Farkas submits letter requesting funds for support of the Lansing Lyric Opera.

Referred to the Mayor and Committee on Intergovernmental Relations

Michigan Bell Telephone Co. submits notice of hearing in the matter of their application for authority to revise their Tariffs M.P.S.C. Nos. 1, 2, 3, 5, 8 and 10 as they pertain to Message Toll Service, Wide Area Telephone Service and Private Line Services Case Co. U-8128.

Received and placed on file

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA:

Mayor's letters — 2a (Proclamation - Fair Housing); 2b (Fair Housing Ordinance); 2g (Executive Assistant, Cleophus Boyd - Letter of Appreciation); 2i (1985 Tree Planting Program). Mayor McKane introduced Gavin Gardi who spoke regarding the recent Lansing Energy Action Network Residential program and gave a report on the status of the Time Energy Management Program for City Hall. It was announced that a make-up time was scheduled for April 18th from 12:00 to 8:00 p.m. for the Housing Energy Program Thermograms for residents who missed the winter meetings.

REPORT OF COMMITTEES**The COMMITTEE ON GENERAL SERVICES—**

Approves the following licenses and bonds:

Rubbish Hauler: Delbert L. Price
Cabaret: Parthenon Restaurant & Lounge
Second Hand Dealer: Kelley's; Ramseys and Son
Bicycle Sales and Repair
Sign Erectors License: Huron Advertising Co., Inc
Ice Cream Peddler License: Mister Jolly Ice Cream, Inc.

Sidney Worthington
Charles Creamer
Alfreda Schmidt

Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously

The COMMITTEE ON GENERAL SERVICES—

To whom was referred the following Ordinances:

Providing for the repeal of Sections 2-1 through 2-9, inclusive, of Chapter 2 of the Code of Ordinances for the purpose of the establishment of the Personnel and Training Department and the creation of a Personnel Merit System

Providing that Chapter 2 be amended by adding new sections numbered Section 2-1 through 2-6, inclusive, for the purpose of the establishment of the Personnel and Training Department and a New Article 1A, Section 1A, Section 2-7 through 2-7.4 inclusive, providing for the creation of a Personnel Merit System.

Reports as follows: that said ordinances be approved.

Sidney Worthington
Charles Creamer

Alfreda Schmidt

Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

To whom was referred the Mayor's report on Jolly Road and Pennsylvania Avenue reports as follows: that the request for a left turn traffic signal phase for northbound and southbound traffic on Pennsylvania Avenue be denied based on the traffic study performed by the Transportation Division which shows an existing low accident experience and only minor delay to left turning traffic.

Patrick Lindemann
James Blair
Louis Adado

Committee on Public Properties and Safety

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

To whom was referred the implications of opening up the 200-300 Blocks of South Washington Ave. to through traffic reports as follows: the Committee on Public Properties and Safety officially requests the Administration to direct the City's Traffic Division to research and report to the Committee on Public Properties and Safety on the potential impact and necessary city actions involved in opening the 200 and 300 blocks of South Washington to reduce speed through traffic. The report should include but not limited to the following: 1) an outline of the necessary physical changes to the mall and the approximate cost of these changes; 2) gain (loss) parking spaces; 3) recommendations for type of signage and/or signalization at intersections with east-west street; 4) projected effect on existant downtown traffic patterns. A timely response to this request is greatly appreciated.

Patrick Lindemann
Louis Adado

Committee on Public Properties and Safety

BY COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

March 26, 1985

President Charles Creamer
and Members of City Council

Re: Claim of Mr. and Mrs. Thomas Conrad in the amount of \$150.00

Dear President Creamer
and Members of City Council:

On January 7, 1985, Mr. and Mrs. Thomas Conrad, 833 Alger S.E., Grand Rapids, Michigan submitted a claim for removal of a special assessment placed on three vacant lots in the City of Lansing for weed cutting on July 23, 1984. The total cost of the special assessment placed on the subject properties was \$150.00.

A review of the records by James W. Kzeski, Director of Building Safety reveals that an insufficient period of time was allowed to comply with the cutting order and therefore the special assessment is improper.

Therefore, it is the recommendation of the Building Safety Division and this office that the special assessment applied to these properties be removed from the tax rolls.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and the special assessment applied to these properties be removed from the tax rolls.

Carried.

PROCLAMATION

Whereas, the right to freedom of choice has distinguished our nation as the land of opportunity. In keeping with this tradition, it is incumbent upon all citizens in a multicultural society to reflect on the principles of fair and equal access; and

Whereas, Title VIII - Fair Housing of the Civil Rights Act of 1968 prohibits discrimination in housing and declares it a national policy to promote the concept of freedom of choice for all citizens; and

Whereas, the City of Lansing in 1968, adopted a Fair Housing Ordinance prohibiting discrimination in the sale and rental of housing in the City of Lansing; and

Whereas, the month of April marks the 17th anniversary of Title VIII - Fair Housing of the Civil Rights Act of 1968; let us take this opportunity to recognize the many strides toward fair and equal living accommodations and join together to eliminate housing discrimination in our City.

Now, Therefore, I, Terry J. McKane, Mayor of the City of Lansing, by the power vested in me, do hereby proclaim the month of April 1985, as:

"Fair Housing Month"

in the City of Lansing and urge all citizens of this community to practice the letter and spirit of the Fair Housing Act.

Given under my hand and the Seal of the City of Lansing this twenty-ninth day of March in the year of Our Lord one thousand nine hundred and eighty-five.

Terry J. McKane
Mayor

DATE: 3/25/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Human Relations Director

Re: Fair Housing Ordinance

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,

Mayor

Referred to the Committee on General Services

DATE: 3/27/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from City Treasurer-Income Tax Division

Re: 1984 Ad-Valorem, Industrial Facility and Commercial Facility Property Tax Rolls

The attached correspondence is submitted for your information.

Terry J. McKane,
Mayor

Received and placed on file

DATE: 3/27/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Public Service Director

Re: Trash in R.O.W. Removal Assessments for June, 1985 Tax Roll (V-10)

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the Mayor and this Trash in R.O.W. Removal Assessments be placed on the June, 1985 Tax Roll (V-10)

Carried.

DATE: 3/25/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Building Division

Re: Trash Removal Assessment - U-28 July 1985 Tax Roll \$1,361.38

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the Mayor and the Trash Removal Assessment in the amount of \$1,361.38 be placed on the U-28 July 1985 Tax Roll.

Carried.

DATE: 3/28/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Building Safety Division

Re: Trash Removal Assessment - U-28 July 1985 Tax

Roll \$1,851.46

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the Mayor and this Trash Removal Assessment in the amount of \$1,851.46 be placed on the U-28 July 1985 Tax Roll.

Carried.

DATE: 3/25/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Highland Park, MI

Re: Executive Assistant, Cleophus Boyd

The attached correspondence is submitted for your information.

Terry J. McKane,
Mayor

Received and placed on file

DATE: 3/27/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Building Safety Division

Re: Request for Public Hearing - 7000 South Cedar

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

By COUNCILMAN BELEN—

That we concur in the recommendation of the City Attorney and the public hearing be set for April 22, 1985 for making safe/or demolish property at 7000 S. Cedar St.

Carried.

DATE: 3/27/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Parks and Recreation Director

Re: 1985 Tree Planting Program

The attached correspondence is submitted for your information.

Terry J. McKane,
Mayor

Referred to the Committee on Public Properties and Safety

DATE: 3/28/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Finance Director

Re: Transfer of funds

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to the Committee on Ways and Means

By COUNCILMEMBER ADADO—

I move that we recess for five minutes.

Carried.

City Council recessed at 7:50 p.m. and reconvened at 8:00 p.m.

By COMMITTEE ON ECONOMIC DEVELOPMENT—

RESOLUTIONS

Resolution Confirming the Appointment of Additional Directors to the Board of Directors of the Issuer

(Michigan Biotechnology Institute Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan, held at 7 o'clock p.m., Michigan Time, on April 1, 1985, at which the following members were present:

Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt and Worthington.

And the following were absent:

None.

The following preamble and resolution were offered by Councilmember Adado and supported by Councilmember Belen;

Whereas, the Economic Development Corporations Act, Act. No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, Michigan Biotechnology Institute, a Michigan non-profit corporation (the "Company") has proposed a project (the "Project") to the Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions.

Now, Therefore, Be It Resolved By This City Council Of The City Of Lansing, As Follows:

1. Pursuant to Section 20(b) and (e) of the Act, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed.

2. This Council hereby advises and consents to the appointment by the chief executive officer of the City of Lansing of Stephen O. Schultz and Michael Farley as additional directors to the Board of Directors of the Issuer, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the project.

3. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issure.

Yeas: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt and Worthington.

Nays: None

Abstentions: None

Resolution declared adopted.

STATE OF MICHIGAN)
COUNTY OF INGHAM) SS.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on the 1st day of April, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

Rita M. Bauman,
Lansing City Clerk

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Industrial Development District IPR-8-80 in the City of Lansing, pursuant to Public Act 198 of 1974, as amended, at property commonly known as the Oldsmobile Plant 1 manufacturing Complex at 920 Townsend; and

Whereas, Buick-Oldsmobile-Cadillac Group, General Motors Corp. has submitted an application for an Industrial Facilities Exemption Certificate for construction of an addition to the existing facility within said Industrial Development District IPR-8-80; and

Whereas, a hearing was held on the Buick-Oldsmobile-Cadillac Group's application for an Exemption Certificate on December 17, 1984 at which time all interested persons had an opportunity to be heard; and

Whereas, Buick-Oldsmobile-Cadillac Group has met the requirements for said Exemption Certificate as required by Public Act 198 and by the policies of this Council; and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated March 27, 1985 attached hereto).

Now, Therefore, Be It Resolved, that the Council of the City of Lansing approves the application from Buick-Oldsmobile-Cadillac Group, General Motors Corp. for an Exemption Certificate in Lansing Industrial Development District IPR-8-80, to remain in effect for a period of twelve (12) years.

By COUNCILMAN LINDEMANN—

That Councilmembers Adado and Worthington be excused from voting on this resolution.

Carried.

The resolution was adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District CRD-5-85, proposed by CBH & Associates for the North East Corner of East Jolly Road and Tranter Street and more particularly described as:

Beginning 158 feet West of the South ¼ corner of Section 34, T4N, R2W, City of Lansing, Ingham County, Michigan; thence North 303 feet; thence West 172 feet to the east line of Tranter Street; thence South along the east line of Tranter Street 303 feet; thence East 172 feet to the point of beginning; the south 33 feet thereof being subject to a right of way for Jolly Road.

Now, Therefore, Be It Resolved, that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District; and

Be It Further Resolved, that such hearing be held at the Council Chambers in the City Hall on the 22nd day of April, 1985, at 7:00 p.m., and that notice of such hearing be published on a publication of general circulation in said City.

Adopted by the following vote:

Unanimously.

By PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, on October 29, 1984 the Lansing City Council resolved that the parcel described as the:

West 12' of Lot 1 Block 96, Original Plat,
City of Lansing, Ingham County, Michigan,

be vacated to the interest of Michigan Bell Telephone Company, and the Mayor and City Clerk record the vacation order; and

Whereas, subject property is not a platted alley but was purchased property, and therefore has to be sold by city ordinance, "In order to protect the interest of the City to assume fairness and consistency in the disposition of interest in real property," and

Whereas, the land was appraised by Marion Hahn, Deputy Assessor for the City of Lansing at \$5,500.00,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby authorizes the sale of the above described parcel by warranty deed at the fair market value of \$5,500.00 to Michigan Bell Telephone Company, and

Be It Further Resolved, the administration is authorized to proceed with the preparation of the requisite documents for the transaction.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Michigan Department of Transportation, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended denial of a request from the Capital Area Transportation

Authority for traffic control at the intersection of Cedar Street and the driveway to the Ingham County Human Services Building;

Now, Therefore, Be It Resolved, the Lansing City Council hereby denies the installation of a traffic signal on Cedar Street at the driveway to the Ingham County Human Services Building.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended denial of a petition for changing the traffic control at the intersection of Donald Street and Everett Dale Avenue;

Now, Therefore, Be It Resolved, the Lansing City Council hereby denies the request to change the existing yield signs to stop signs on Everett Dale Avenue at Donald Street.

Adopted by the following vote:

Yeas: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Worthington—7.

Nays: Councilmember Schmidt—1.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, traffic signal modifications are needed to signalize the new driveway for West Side Deli on the south side of the intersection of Holmes Road and Washington Avenue; and

Whereas, the Transportation Division staff recommends that West Side Deli be responsible for the payment of the total estimated cost of \$5,000 to modify the existing traffic signal to serve the new driveway; and

Whereas, the Traffic Board and the Mayor have recommended that West Side Deli be responsible for a portion of the traffic signal improvement costs; and

Whereas, the Committee on Public Properties and Safety has reviewed the staff recommendation, the Board and Mayor's recommendation and discussed the issue with the developers of West Side Deli;

Now, Therefore, Be It Resolved, the Lansing City Council hereby concurs with the recommendations of the Traffic Board and the Mayor concurs with the recommendations to the extent that West Side Deli should not be responsible for the total cost of the necessary modifications; and

Be It Further Resolved, West Side Deli shall be responsible for the cost of installation of the sensing loop in the driveway and all the requisite wiring to the control unit; and

Be It Finally Resolved, the City of Lansing shall be responsible for the modification and hanging of the traffic signal itself.

Adopted by the following vote:

Yeas: Councilmembers Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—7.

Nays: Councilmember Blair—1.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, in August 1982, the City Council passed a resolution authorizing the lease of City-owned property at 1000-1020 Filley Street to the Lansing Industrial Laundry; and

Whereas, the terms and conditions of the proposed lease were unacceptable to the Lansing Industrial Laundry; and

Whereas, a new lease agreement has been negotiated between the Lansing Industrial Laundry and the City of Lansing;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby rescinds its resolution of August 2, 1982 (ACT-40-82); and

Be It Further Resolved, the City Council of the City of Lansing hereby authorizes the administration to enter into a new lease agreement as currently negotiated with Lansing Industrial Laundry for property located at 1000-1020 Filley Street.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$41,000.00 from Reserve for Contingency A/C 101-941-000-963
 \$41,000.00 to Project Maintenance A/C 101-265-000-931
 (\$30,000 compliance with code violations in City Hall, N. Grand Ramp & Washington Square Annex & \$11,000 for repair to City Council Chamber ceiling)

\$100.00 from Estimated Revenues A/C 101-000-000-160
 \$100.00 to Fire Citizen Donations A/C 101-337-000-956
 (Donation to Paramedic Program by Joan and Robert Wheelock)

\$6,500.00 from Flood Control-Equipment Rental A/C 101-445-017-943
 \$6,500.00 to Public Service Dept. Flood Control Wages-Hourly A/C 101-445-017-706
 (To cover expenditures for wages expended due to the flood conditions. Storm water pump stations were required to be in operations thru 3-15-85 due to high river flows)

\$11,500.00 from Snow Removal-Materials A/C 202-478-000-782
 \$4,500.00 to Public Service-Snow Removal-Fringe Benefits A/C 202-478-000-715
 \$7,000.00 to Snow Removal-Wages-Hourly A/C 202-478-000-706
 (Expenditures for snow removal & salting of major streets. Additional funds will be required if there are any snow accumulations between now & 5-1-85)

*The Balance in the Reserve for Contingency Fund after this transfer is \$199,336.28.

Recommended by:

Jan Lazar,
 Budget Director

I hereby certify that this is a properly drawn and eligible transfer.

James W. Dowsett,
 Finance Director

Approved:

James D. Blair
 Pat Lindemann
 Tony Benavides

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinances of the City of Lansing, providing that the code of ordinances be amended by:

Revising the district maps adopted by Section 36-6 of the Code of Ordinances and to change the zoning classification for the rezoning petitions:

Z-1-85—1000 block of East Main Street (south side) to be rezoned from "C" Residential District to "D-1" Professional Office District.

Z-4-85—902,908, 910 East Oakland Avenue to be rezoned from "C" Residential District to "G-2" Wholesale District.

Z-5-85—112 Hazel Street and 1018 Grand Avenue to be rezoned from "DM-4" Residential District to "J" Parking District

was introduced by Councilmember Belen, read a first and second time by their titles and referred to the Committee on Physical Development.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, April 22, 1985 at 7:00 P.M. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving the rezoning petitions for:

Z-1-85—1000 block of East Main Street (south side) to be rezoned from "C" Residential District to "D-1" Professional Office District.

Z-4-85—902,908, 910 East Oakland Avenue to be rezoned from "C" Residential District to "G-2" Wholesale District.

Z-5-85—112 Hazel Street and 1018 Grand Avenue to be rezoned from "DM-4" Residential District to "J" Parking District.

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinances of the City of Lansing, Michigan providing that the code of ordinances be amended by:

Repeal of Sections 2-10, 2-11, 2-12, 2-13, 2-14, 2-15 and 1-16 of Chapter 2 for the purpose of updating the Civic Center Advisory Board to bring it into conformance with the City Charter.

Amend Chapter 2, by adding a new Section 2-10 for the purpose of updating the Civic Center Advisory Board to bring it into conformance with the City Charter.

Add new Chapter 8 containing sections numbered 8-1 through 8-11 for the purpose of regulating animals and fowl running at large.

Adding a new Chapter 6, Sections numbered 6-1 through 6-4 for regulating certain alarm systems in the City and providing procedural guidelines for handling excessive false alarms.

Repeal of Chapter 14 containing Sections 14-1 through 12-317 inclusive, for the purpose of adopting the Uniform Fire Code.

were introduced by Councilman Worthington, read a first and second time by their titles and referred to the Committee on General Services.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, April 15, 1985 at 7:00 P.M. in the 10th Floor Chambers of City Council for the following Ordinances:

Amend Chapter 2, by adding a new Section 2-10 for the purpose of updating the Civic Center Advisory Board to bring it into conformance with the City Charter.

Add new Chapter 8 containing sections numbered 8-1 through 8-11 for the purpose of regulating animals and fowl running at large.

Councilman Lindemann left the meeting.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, April 8, 1985 at 7:00 P.M. in the 10th Floor Chambers of City Council for adding a new Chapter 6, Sections numbered 6-1 through 6-4 for regulating certain alarm systems in the City and providing procedural guidelines for handling excessive false alarms.

Adopted by the following vote:

Unanimously.

ORDINANCES

By COUNCILMAN WORTHINGTON—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by:

Repealing Sections 2-1 through 2-9 inclusive, of Chapter 2 for the purpose of the establishment of the Personnel and Training Department and the creating of a Personnel Merit System.

Adding new sections to Chapter 2 to be numbered Section 2-1 through 2-6, inclusive, for the purpose of the establishment of the Personnel and Training Department and a new Article 1A, Section 2-7 through 2-7.4 inclusive, providing for the creating of a Personnel Merit System.

and recommended that the ordinances be passed.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by repealing Sections 2-1 through 2-9 inclusive, of Chapter 2 for the purpose of the establishment of the Personnel and Training Department and the creating of a Personnel Merit System be placed on order of immediate passage.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by repealing Sections 2-1 through 2-9 inclusive, of Chapter 2 for the purpose of the establishment of the Personnel and Training Department and the creating of a Personnel Merit System be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 696

An Ordinance of the City of Lansing, Michigan, providing for the repeal of Sections 2-1 through 2-9, inclusive, of Chapter 2 of the Code of Ordinances of Lansing, Michigan, for the purpose of the establishment of duties and functions of the agency responsible for personnel and training and a new article 1-A providing for the creation of a Personnel Merit System.

The City of Lansing Ordains:

Section 1. That Section 2-1 through 2-9, inclusive, of Chapter 2 of the Code of Ordinances of Lansing, Michigan, are hereby repealed and declared null and void and of no effect.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by adding new sections numbered Section 2-1 through 2-6, inclusive, for the purpose of the establishment of the Personnel and Training Department and a New Article 1A, Section 2-7 through 2-7.4 inclusive, providing for the creation of a Personnel Merit System be placed on order of immediate passage.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by adding new sections numbered Section 2-1 through 2-6, inclusive, for the purpose of the establishment of the Personnel and Training Department and a New Article 1A, Section 2-7 through 2-7.4 inclusive, providing for the creation of a Personnel Merit System be now passed.

Amendments to Personnel Merit Ordinance:

By COUNCILMAN WORTHINGTON—

1. On Page 3 line 4 after the period strike the balance of the sentence on lines 4, 5 and 6 through the word "hire" on line 7 and insert the words—"Except as positions may be excluded in 2-1, the department's recommendation for hiring" and continue with the balance of the subsection.
2. On page 4, line 9 after the word "clerk" strike the balance of the sentence on line 9, 10, and 11 through the period and insert the language "to the Chief Personnel and Training Officer and Affirmative Action Officer for review" and continue with the balance of the subsection.
3. On page 1, line 22 strike the letters "2-2" and insert "2-1."
4. On page 2, line 20 strike the letters "2-2" and insert "2-1."
5. On page 2, line 26 strike the letters "2-2" and insert "2-1."
6. On page 3, line 10 strike the letters "2-2" and insert "2-1."
7. On page 3, line 22 strike the letters "2-2" and insert "2-1."
8. On page 5, line 3 strike the letters "2-2" and insert "2-1."
9. On page 6, line 5, strike the letters and word "2-4 and 2-5" and insert the letters and word "2-7 and 2-8."

Carried.

ORDINANCE NO. 697

An Ordinance of the City of Lansing, Michigan,

providing that Chapter 2 be amended by adding new sections numbered section 2-1 through 2-9, inclusive, for the purpose of the establishment of duties and functions of the agency responsible for personnel and training and a new article 1-A providing for the creation of a Personnel Merit System.

The City of Lansing Ordains:

Section 1. That Chapter 2 of the Code of Ordinances of Lansing, Michigan, be amended by adding new Sections numbered Section 2-1 through 2-9 inclusive, to read as follows:

Article 1. Personnel System, In General

Sec. 2-1. Chief Personnel and Training Officer's Duties.

The Chief Personnel and Training Officer shall administer the personnel and training functions for the City of Lansing which shall include establishment of a comprehensive personnel program for all city employees within city departments. The personnel program may exclude the Mayoral staff, City Council staff, Internal Auditor staff and the Chief Deputy City Clerk.

Sec. 2-2. General Personnel Provisions—Primary Recruitment and Selection Procedures.

(A) Except as positions may be excluded in Sec. 2-1, the Chief Personnel and Training Officer shall ensure that recruitment is competitive and all qualified applicants are referred to the employing department to fill vacant and/or newly created employee positions. The Chief Personnel and Training Officer shall post all open positions within the city for such periods of time and in such locations as determined by the Chief Personnel and Training Officer, and may concurrently advertise them externally. As a part of its recruitment program, the city will undertake affirmative action efforts to attract minorities, women and handicappers.

(B) All persons not already employed by the City of Lansing expressing a legitimate interest in employment with the city shall be permitted, and required, to file a completed employment application with the agency responsible for personnel and training. The form of such application shall be determined by the Chief Personnel and Training Officer. Such employment application shall not require any illegal information regarding an applicant, including but not limited to race, color, religion, ancestry, marital status and political affiliation.

(C) The Chief Personnel and Training Officer shall determine in conjunction with the head of employing department what, if any, tests are appropriate or necessary for assisting in determining which applicants are qualified to fill an employment position. All such tests shall be approved, provided and/or administered by the agency responsible for personnel and training.

(D) Except as positions may be excluded in Sec. 2-1, the Chief Personnel and Training Officer shall have sole responsibility for referring qualified applicants for consideration by the employing department.

(E) The head of the employing department shall recommend a candidate to fill an employment position.

Except as positions may be excluded in Sec. 2-1, positions shall be filled based upon qualifications and fitness as required for the position, as well as consideration for the city's affirmative action program and the collective bargaining agreements, if applicable. Qualifications required for a position will be job-related and will be set forth in the posting for the vacant position. Except as positions may be excluded in 2-1 the employing department head shall refer the departments recommendation for hiring to the Chief Personnel and Training Officer and the Affirmative Action Officer for review. The final selection shall be as administratively

established by the Mayor.

Except as positions may be excluded in Sec. 2-1, all records relevant to the selection of a candidate to fill an employment position shall be retained within the agency responsible for personnel and training for at least (2) years from the date the position is filled.

(F) No provision of this section shall, in any manner, interfere or conflict with those provisions of the City Charter which govern the eligibility and appointment of Administrative officers, Mayoral staff, City Council staff, Chief Deputy City Clerk or Internal Audit staff.

Sec. 2-3. General Personnel Provision—Promotion.

Except as otherwise limited by collective bargaining agreement, as provided by Charter of Sec. 2-1, above, promotions shall be made on the basis of knowledge, skills, ability and qualifications to perform the duties and responsibilities of the employment position, as well as an employee's past work performance and the City's Affirmative Action Plan. Seniority may also be considered in making a promotional decision, but it shall not be the sole basis for promotion. All city employees who are qualified to perform the duties and responsibilities of the employment position, satisfy applicable collective bargaining, charter and ordinance limitations, and express an interest in the position in writing shall be given consideration for promotional opportunities. The head of the employing department shall make the initial personnel recommendation for promotional opportunities for other than Mayoral appointments, City Council appointments, Internal Auditor appointments and Chief Deputy City Clerk, to the Chief Personnel and Training Officer and Affirmative Action Officer for review. The final selection shall be made as administratively established by the Mayor.

Sec. 2-4. General Personnel Provisions—Probationary Period and Performance Evaluations.

All employees selected for or promoted to a non-appointed employment position shall serve a probationary period. The Chief Personnel and Training Officer shall establish a system to determine successful completion of a probationary period. Should the employee's performance be deemed unsatisfactory at the end of the probationary period, the employee will be discharged, unless otherwise provided by collective bargaining agreement, ordinance or personnel rules. The Chief Personnel and Training Officer shall establish a system for continued job performance evaluation.

Sec. 2-5. General Personnel Provisions—Classification and Compensation Plan.

The agency responsible for personnel and training shall establish and maintain a classification plan for all employment positions covered by this ordinance unless otherwise provided by collective bargaining agreement or as may be excluded pursuant to Sec. 2-1. The agency responsible for personnel and training shall periodically review all such classifications. The Mayor shall have exclusive authority to make all classification and reclassification decisions concerning employees covered by the Executive Pay Plan.

Sec. 2-6. Personnel to Cooperate with Chief Personnel and Training Officer.

All city departments, boards, commissions, agencies, officers and employees are directed to render whatever assistance and information to the Chief Personnel and Training Officer as may be requested and to cooperate with the Chief Personnel and Training Officer in the performance of his/her duties.

Sec. 2-7. Residency of Employees—Applicability of requirement: Waiver.

All Salaried department, agency or division heads in the service of the City shall be required to maintain a

full-time bona fide residence within the corporate limits of the City during the period of their employment. A written recommendation for waiver of residence requirements must be initiated by the Chief Personnel and Training Officer and approved by the City Council, before any non-resident salaried department, agency or division head may remain on, or be added to, the payroll.

Sec. 2-8. Citizenship of Employees, Vacation of Position.

All employees in the service of the City that directly participate in the formulation, execution or review of public policy shall be citizens of the United States or shall be accorded permanent resident status by the United States Government.

Sec. 2-8.1. Residency and Citizenship—Vacation of Position, Recording as Resignation.

Employees who violate any of the provisions of sections 2-7 and 2-8 as applicable shall no longer satisfy the requirements for continued employment and their positions shall be vacated. All employees who are separated from the City service under these provisions shall be deemed to have resigned and such an entry shall be made upon their personnel records.

Article I-A. Personnel Merit System

Sec. 2-9. Personnel Merit System—Purpose and Definition.

The purpose of this ordinance is to create a Merit System of Public Personnel Administration that meets the social, economic and functional needs of the City of Lansing. This Personnel Merit System shall provide policy guidance for recruiting, selecting, promoting and maintaining an effective work force, in accordance with the Charter. In all personnel administration decisions, consideration will be given to an individual's knowledge, skills, ability and qualifications to perform the duties and responsibilities of a position, along with affirmative action considerations.

Sec. 2-9.1. Same—Applicability.

The provisions of this ordinance shall apply to all employees of the City of Lansing except the following:

1. Employees of the Board of Water and Light.
2. Elected officials, both full-time and part-time.
3. Members of any city boards, commissions and agencies.
4. Election Inspectors.
5. District Court employees.
6. Housing Commission employees.
7. The Internal Auditor and Internal Audit appointees.
8. Council staff.
9. Employees covered by a collective bargaining agreement.
10. Temporary, casual and contractual employees.
11. School crossing guards.
12. Appointees of the Mayor to department, agency and division head positions.
13. Mayoral staff.
14. Chief Deputy Clerk.

Sec. 2-9.2. Same—Recruitment, Selection and Promotion Policies.

Except as otherwise set forth herein, employees and positions subject to the Personnel Merit System shall be subject to the General Personnel Provisions above, along with the additional terms that follow.

The Chief Personnel and Training Officer may provide by rule, with the approval of City Council, additional factors to be considered in recruitment, selection and promotion.

Sec. 2-9.3. Same—Employee Discipline.

Employees covered by this ordinance may be disciplined and/or discharged only for cause.

Sec. 2-9.4. Grievance Procedure.

The Chief Personnel and Training Officer shall develop rules and procedures for final resolution of grievances brought by employees covered by the Personnel Merit System Ordinance. These employees shall have recourse to this grievance procedure only in matters of employee discipline and in matters of interpretation and/or enforcement of personnel rules.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

The Ordinance as amended was adopted by the following vote:

Unanimously.

By COUNCILMEN BELEN AND SCHMIDT—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter received from Lansing General Hospital requesting revision of an Ordinance or a new ordinance to allow hospital security personnel to issue ticket to violators who park illegally in handicapped spaces.

Referred to the Mayor and Committee on Public Properties and Safety.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing on May 13, 1941 acquired a certain parcel of land, situated and being in the City of Lansing, Ingham County, Michigan and described as follows; to-wit:

All of Lot Eleven (11), Assessor's Plat Number Eighteen (18) except the west one hundred thirty-two (132) feet thereof but including, however, the north sixty-six (66) feet of the south three hundred four (304) feet of said west one hundred thirty-two (132) feet, said Plat being recorded April 13, 1928 in Plat Book 10, page 21; excepting and reserving, however, the right of ingress and egress to the North Sixty-six (66) feet of the South Three hundred four (304) feet of said West one hundred thirty-two (132) feet of said Lot Eleven (11), Assessor's Plat Number Eighteen (18), said exception and reservation to run with the land

and

Whereas, a question exists as to the extent of the easement of ingress and egress reserved in the grant; and

Whereas, for the purpose of clarifying the nature and extent of the easement as it applies to Lot 12 and Lot 13 of Assessor's Plat Number Eighteen (18), City of Lansing, County of Ingham, State of Michigan;

It Is Hereby Resolved that the City of Lansing is authorized to grant two easements of ingress and egress across the north sixty-six (66) feet of the South three hundred four (304) feet of the west one hundred and thirty-two (132) feet of Lot eleven (11) Assessor's Plat number eighteen (18) and more fully described as follows:

A. To the property owner of Lot #12 Assessor's Plat #18, an easement of ingress and egress to the rear of Lot #12, over the following described land: A twenty (20) foot wide parcel of land located ten (10) feet on either side of a line described as beginning at a point located on the west property line, thirty three (33) feet south of the northwest corner of the above described property; thence due west fifty-eight (58) feet, thence due north thirty three (33) feet, to a point which is on the south line of Lot twelve (12), Assessor's Plat #18;

B. To the property owner of Lot #13, Assessor's Plat #18, an easement of ingress and egress to the rear of Lot #13, over the following described land: a twenty (20) foot wide parcel of land located on either side of a line described as beginning at a point located on the west property line, thirty-three (33) feet south of the northwest corner of the above described property; thence due west one hundred seventeen (117) feet, thence due south, thirty-three (33) feet to a point which is on the north line of Lot Number Thirteen (13) Assessor's Plat Number 18.

and

Be It Further Resolved that the Mayor and City Clerk are authorized to sign all documents necessary to convey said easement.

Councilman Blair asked questions about this and wanted it noted that this is not being done according to Council Procedure and this has not been before the Planning Board or Park Board for their review and recommendation.

Adopted by the following vote:

Yeas: Councilmembers Adado, Belen, Benavides, Creamer, Schmidt, Worthington—6.

Nays: Councilmember Blair—1.

ORDINANCES

By COUNCILMAN BELEN—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the code for property located at: Z-33-84—5124 S. Pennsylvania Avenue to be rezoned from "A" Residential District to "F" Commercial District and recommended that the ordinance be passed.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-33-84—5124 S. Pennsylvania Avenue to be rezoned from "A" Residential District to "F" Commercial District be placed on order of immediate passage.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-33-84—5124 S. Pennsylvania Avenue to be rezoned from "A" Residential District to "F" Commercial District be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2149

An Ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing Ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-33-84, 5124 South Pennsylvania Avenue

Parcel Number: 3305-03-101-381-9

Legal Description: Commencing 57.5 feet west and 270 feet south on north 1/8 post of the northwest fractional 1/4 of Section 3, T3N, R2W, City of Lansing; thence west 140 feet; thence south 60 feet; thence east 140 feet; thence north 60 feet to the point of beginning, subject to an easement described as commencing 57.75 feet west and 306 feet south of said north 1/8 post; thence west 8 feet, south 4 feet, east 8 feet, north 4 feet to point of beginning of easement; City of Lansing, Ingham County, Michigan.

From "A" Residential District to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

REMARKS BY THE MAYOR

Mayor McKane informed the Council that Ed Schmitt, City Electrical Inspector had died today of a heart attack. A moment of silent prayer was held.

Anyone having damage to lawns from snowplows should call 483-4355 to report repair being needed.

Spring leaf pick-up would be from April 1, 1985 to April 24, 1985.

Announcements were made regarding street sweeping, pot hole repairs and branch pick-ups.

REMARKS BY THE CITY COUNCIL

Councilmember Schmidt remarked about the Parks Brochure and reminded the public that this Friday is a City Holiday (Good Friday).

Councilmember Belen reminded public of the Ordinance for trash pick-up which states it should not be placed at the curb until after 7 P.M. on the night before pick-up is scheduled.

Councilmember Creamer commented that budget hearings would start April 2, 1985 at 2 p.m.

By COUNCILMEMBER BLAIR—

I move we go into a Committee of the Whole Session.

Adopted by the following vote:

Yeas: Councilmembers Adado, Belen, Blair, Creamer, Worthington—5.

Nays: Councilmembers Benavides, Schmidt—2.

By COUNCILMAN BLAIR—

I move that we adopt a policy for budget hearings that a vote be taken on line item budget recommendations at those committee meetings and that the budget recommendation then be adopted at that committee meeting but then forwarded to its final wrap-up session.

Lost by the following vote:

Yeas: Councilmen Adado, Blair, Creamer—3.

Nays: Councilmen Belen, Benavides, Schmidt, Worthington—4.

By COUNCILMAN BELEN—

I move that we arise from Committee of the Whole.

Adopted by the following vote:

Yeas: Councilmen Belen, Benavides, Blair, Creamer, Schmidt—6.

Nays: Councilman Adado.

Speakers regarding problems of sewerage back-up in Sycamore Subdivision were:

Don Cooper
Polly Kent Hostetler
George Mansour presented petitions to Mayor with 200 signatures.
Bob Mitchell, 1700 Lindebergh Dr.
Stan Brauer, 1409 Sunnyside

Mr. Howard McCaffery, Public Service Director, spoke regarding sewer problems in the area and the construction being planned.

Councilmember Adado requested a report on this problem at the April 8, 1985 meeting of City Council.

Mary Haney spoke regarding problems with the Building Division.

Marcia Conlin thanked councilmembers for ruling on her claim February 18, 1985

Ella Jones, 427 West Street, spoke regarding the Animal Ordinance.

Marvin Stump, 2314 Bolley Drive, spoke regarding the Fire Department Budget.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 10:10 P.M.

RITA BAUMAN,
City Clerk

April 1, 1985

Lansing, Michigan

134

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, April 8, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

April 8, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Belen.

Pledge of allegiance.

By COUNCILMAN SCHMIDT—

That the council proceedings of March 11, 1985 be approved.

Carried.

PUBLIC HEARING

April 8, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed ordinance to add a new Chapter 6, Sections numbered 6-1 through 6-4 for regulating certain alarm systems in the City and providing procedural guidelines for handling excessive false alarms.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed ordinance they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Public Properties and Safety.

PUBLIC HEARING

April 8, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed ordinance revising Chapter 24A by amending Section 24A-6 for the purpose of creating a board in uniformity with 1984 PA 260—(Mall Advisory Board).

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed ordinance amendment they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Public Properties and Safety.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Howard McCaffery, Public Service Director submitted a report in regard to the Lindbergh-Sycamore Sewer and the Alpha Street Sewer. Many questions were asked by the Councilmembers.

The report was referred to the Committee on Physical Development.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

Mechanical Amusement Device—Silver Dollar Saloon, Sir Pizza
Paper Refuse Collection Service—Urban League Theatre—Odeon Theatre
Beer and Wine Carry Out Store—Willow Market

Referred to the Committee on General Services.

Claims filed by:

- a. Dona J. Flermoen, Grand Ledge, Michigan for reimbursement for road service to remove car wheel from "sink hole" on S. Fairview St.
- b. Second letter received from Marie K. Coats, 3815 Inverary Dr., regarding assessments for weed cutting.

Referred to the Mayor and City Attorney.

Request from A. Philip Randolph Institute for permission to use Riverfront Park, the Showmobile and a 24 hr. liquor permit for the 7th Annual Black Cultural Festival to be held May 24-26, 1985.

Referred to the Mayor.

Ronald C. Haas, Central Advertising Co., submits letter concerning proposed Uniform Sign Code.

Referred to the Mayor, Committee on General Services and Committee on Public Properties and Safety.

Letter from Howard Baker regarding Brogans Jewelry proposal for paying parking tickets in downtown area.

Referred to the Mayor and Committee on Public Properties and Safety.

Michigan Department of Natural Resources submits permit for construction in the Sycamore Creek Flood Plain for property located at 1500 E. Cavanaugh Rd. owned by Richard Fiser.

Received and placed on file.

Consumers Power Co. files notice of hearing on Case No. U-7785R to Consumers Power Company's Electric Customers regarding reconciliation proceeding concerning costs and revenues under 1984 Electric Power Supply Cost Recovery Plan.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Mayor's letters 5a (1985 Michigan Good Will Mission to Shiga, Japan); 5b (letter of resignation from Fire Board); 5c (Reappointment of James Kzeski to Governor's Construction Code Commission); 5d (Letter of appreciation from Lansing Community College regarding parking) and 5h (Hiring process for 1984-1985—Lansing Fire Dept.).

REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following Licenses and Bonds:

Mechanical Amusement Device—Silver Dollar Saloon, Sir Pizza
Theatre—Odeon Theatre
Paper Refuse Collection Service—Urban League
Cab Company—Yanks, Inc. (33 cabs)
Building Wrecker—D.L. Kesler
Beer and Wine Carry Out Store—Willow Market

Signed:

SIDNEY P. WORTHINGTON.
CHARLES M. CREAMER,
ALFREDA SCHMIDT,
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT—

To whom was referred the rezoning petitions:

Z-32-84—2726 N. Grand River to be rezoned from "F" Commercial and "J" Parking Districts to "G-2" Wholesale District.

Z-2-85—Sunset Avenue to be rezoned from "A" Residential District, "H" Light Industrial and "F" Commercial Districts to "I" Heavy Industrial District.

Reports as follows: that said Ordinance be approved.

Signed:

LUCILE BELEN,
CHARLES M. CREAMER,
TONY BENAVIDES,
Committee on Physical Development

By COUNCILMAN BELEN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT—

To whom was referred the Ordinance establishing Chapter 27C to consists of Sections 27C-1 to 27C-9, inclusive, to provide for and regulate the regulations,

collection, pretreatment, and treatment of industrial waste, for collection of the costs therefore and penalties for the violation of this Ordinance.

By COUNCILMAN BELEN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

April 2, 1985

President Charles Creamer
and Members of City Council

Re: Claim of Dr. Jack Down in the amount of \$350 plus 10% interest

Dear President Creamer
and Members of City Council:

On April 1, 1985, this office received the attached letter from Dr. Jack Down requesting reimbursement in the amount of \$350.00 plus 10% interest for legal fees he paid in defending himself against a criminal charge which was dismissed by the Court.

According to the claimant, the charges involved included breaking and entering and, therefore, were authorized by the County Prosecutors' Office rather than by this office. Therefore, Dr. Down's claim, such as it is, should more properly be submitted to Ingham County than to the City of Lansing.

Based on the above, it is this office's recommendation that this claim should be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

April 4, 1985

President Charles Creamer
and Members of City Council

Re: City of Lansing v \$1,700 in U.S. Currency

Dear President Creamer
and Members of City Council:

On March 26, 1985 this office, pursuant to 1982 PS 251, filed an action in Ingham County Circuit Court for forfeiture of \$1,700 in U.S. currency seized by the Lansing Police Department discovered during an arrest search. Subsequently, the Defendant's attorney filed an Answer to the Complaint requesting that any monies seized be returned to the Defendant.

In order to prevail at trial the City will be required to prove that the money seized was income from illegal drug sales. Since no drugs were found in the search, at best only circumstantial evidence is available to utilize at trial that the money seized in this instance is related to illegal drug activities.

Therefore, a tentative settlement has been reached in this matter whereby the City would be entitled to retain \$850 of the \$1,700. Based upon the recommendation of the Police Department and the uncertainty of outcome if this matter proceeds to trial, it is the recommendation of this office that the settlement as set forth above be approved.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and this settlement be approved as set forth above.

Carried.

April 4, 1985

Mayor Terry J. McKane,
Council President Charles Creamer
and Members of the City Council

Re: Atrium Office Partners Project

Dear City Council Members:

At a regular meeting of the Economic Development Corporation Board of Directors on April 3, 1985 the attached resolution was approved recommending a Project Plan for the Michigan Theatre Renovation Project a/k/a Atrium Office Partners Project. This resolution indicates the Board's approval of the Project Plan for the Atrium Office Partners Projects (copy attached).

I trust that these documents will meet with your approval.

Very truly yours,

EMERSON B. OHL
Executive Director

Received and placed on file.

March 29, 1985

President Charles Creamer
Members of Lansing City Council

Dear President Creamer
and Council Members:

Re: Agreement to Occupy Ottawa Station Property by City of Lansing

At a duly noticed regular meeting of the Board of Water and Light of the City of Lansing, Michigan, held March 26, 1985, at which a quorum was present, the following action was duly adopted and filed with the City Clerk's office:

That the Board enter into an agreement with the City of Lansing to allow the expansion of the North Grand Avenue parking ramp on Board's Ottawa Station property (200 block North Grand Ave.).

The parking ramp will encroach 37.5 feet on Board property along the east right-of-way of Grand Avenue and will utilize very little ground level space but all air space from 14 feet to 95 feet above existing grade.

The general conditions of the agreement are as follows:

1. The City will demolish 93 feet of the old Reo building and construct a replacement under the new parking ramp.
2. The City will relocate the ash hydrobins and all fencing and gates for new traffic flow.
3. The City will replace two existing 10,000 gallons oil tanks to a new location next to the Ottawa Station.
4. The City will construct columns in the parking

ramp designed to support a flue gas fly ash bag house cleaning system for future use by the Board if required for continued operation of Ottawa Station.

5. The City will provide temporary parking for all Board spaces lost due to construction.

6. The City will provide permanent parking spaces for all Board spaces lost due to the expansion. These spaces will be provided on the roof of the new structure. If this is found to be in conflict with the revenue bond sale the City will furnish the spaces within 1,200 feet of 123 W. Ottawa Street.

7. The City will relocate and/or replace any underground utilities which are in the way of construction.

8. All constructions will be scheduled so that Ottawa Station will be ready to operate any time needed.

9. The City will carry insurance required by Board and include the Board as Additional Named Insured.

All of the above conditions will be at City expense.

Further, that the General Manager and Secretary be authorized to sign the agreement subject to legal counsel review and approval by City Council.

Respectfully submitted,
MARY E. SOVA,
Secretary

Received and placed on file with copy to Committee on Public Properties and Safety and Committee on Ways and Means.

April 4, 1985

Council President Creamer
Mayor McKane & City Clerk Bauman

Dear President Creamer, Mayor McKane
& City Clerk Bauman:

Pursuant to Section 3-402.4 of the City Charter, the Internal Auditor submits this analysis of the financial position of the City.

We find no substantial departures from generally accepted accounting principles in the financial statements for the fiscal year ended June 30, 1984. We indicate a preference for an alternative presentation of the City's Enterprise Funds other than the presentation opted by the Controller. This constitutes an ongoing reaffirmation of our position on this matter of six years' duration.

A new feature of this report, as requested by City Council, is an analytical review of the various funds as presented in the annual financial statements audited by the external auditors. The overview includes a working capital analysis, a financial inflow-outflow analysis, a debt burden analysis where appropriate, an equity analysis and such other analytical presentations that were deemed necessary in accordance with the nature of the fund and the informational requirements of potential users. A five-year comparative format was utilized to indicate trends. This analysis constitutes a substantial extension of the nature and scope of this report from prior years.

We respectfully submit this analysis of the financial position of the City as required by the City Charter.

Sincerely,
LOUIS S. KLIMECKY
Chief of Internal Audit

Received and placed on file with copy to the Committee on Ways and Means.

April 3, 1985

Council President Charles Creamer and Lansing City Councilmembers

Dear Council President Creamer and City Councilmembers:

As you know, Lansing has a Sister City in Otsu City, Shiga Prefecture, Japan. On alternate years, Otsu City sends a delegation here for a visit. The group of over 30 people was in Lansing last August for a week's stay. This year, it is our turn to be a part of the Michigan Good Will Mission to Shiga, Japan. The dates of the mission have been set as July 27, 1985 to August 11, 1985. There are still spaces available for those who wish to be a part of this mission. If you are interested, please contact Pamala Fowler, at 483-4141 or Jackie Taylor, at 483-1852.

Attached is a letter from Philip J. Gannon, President, Lansing Community College. This letter explains the mission and the cost involved. The deadline has been extended, but anyone who might be interested in this trip is urged to call either of the above numbers as soon as possible.

I have had the opportunity to visit our Sister City, and feel that it would be a tremendous experience for our citizens.

Sincerely,

TERRY J. McKANE,
Mayor

Received and placed on file.

DATE: 4/1/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Jeanne Barker

RE: Letter of resignation from Fire Board

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor

Received and placed on file.

DATE: 4/1/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Building Safety Division

RE: Reappointment of James Kzeski to Governor's Construction Code Commission

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor

Received and placed on file.

DATE: 4/1/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Lansing Community College

RE: Letter of appreciation

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor

Received and placed on file.

DATE: 4/3/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development Dept.

RE: SLU-4-85, 1434 East Jolly Rd.

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor

Referred to the Committee on Physical Development.

DATE: 4/3/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development Dept.

RE: SLU-33-84, Sparrow Hospital Parking

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor

Referred to the Committee on Physical Development.

DATE: 4/3/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development Dept.

RE: ACT-1-85, Expansion of N. Grand Parking Garage

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 4/3/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Fire Chief Mark Holliday

RE: Hiring Proces for 1984 and 1985—Lansing Fire Dept.

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor

Received and placed on file.

RESOLUTIONS

By COMMITTEE ON HUMAN SERVICES AND INTERGOVERNMENTAL RELATIONS—

Resolved by the City Council of the City of Lansing:

Whereas, Superintendent Robert J. Chamberlain has announced his retirement after 35 years of service to the Lansing School District; and

Whereas, Bob Chamberlain's leadership in the last three years has marked a new era of progress and accomplishment for Lansing Public Schools; and

Whereas, Dr. Chamberlain has received a variety of honors and awards for the many improvements instituted during his superintendency; and

Whereas, the working relationship between the City of Lansing and the Lansing School District has been strengthened as a direct result of Dr. Chamberlain's personal efforts;

Now, Therefore, Be It Resolved, the Lansing City Council hereby offers sincere gratitude and warmest wishes to Dr. Robert J. Chamberlain for his 35 dedicated and successful years of service to the people of this City.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

P-11-77

Tammany Hills #4
Final Preliminary Plat

Whereas, Fred White, on behalf of Geert D. Mulder and Sons, Incorporated, has requested reinstatement of the final preliminary plat of Tammany Hills #4 Subdivision which was initially approved by the Lansing City Council at their meeting of February 13, 1978; and

Whereas, the final plat for this Subdivision was approved by the Planning Board on February 20, 1979 and subsequently approved by the City Council at their meeting of March 12, 1979; and

Whereas, following the final plat approval Geert D. Mulder and Sons decided not to proceed further with the subdivision plat due to reduced demands for apartment development, which this proposed subdivision plat was designed for; and

Whereas, it is deemed desirable by the developer to proceed with development at this time and he is, therefore, requesting reinstatement in accord with Section 37-8(6) of the Lansing Subdivision Ordinance; and

Whereas, the Physical Development Committee of City Council, to whom was referred this request for reinstatement, has reviewed the proposal and found it to be in substantial conformance with the initial preliminary plat and recommends its reinstatement;

Now, Therefore, Be It Resolved, that the City Council of the City of Lansing recommends that the final preliminary plat of Tammany Hills #4 Subdivision be reinstated subject to all the conditions as set forth at

the time of tentative preliminary plat approval.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, a Public Hearing was held at the January 22, 1985, Planning Board to receive comments on the proposed boundaries for the Green Oaks Target Area; and

Whereas, the Planning Board at its regularly scheduled meeting on February 19, 1985, did recommend approval of the proposed boundaries; and

Whereas, Mayor McKane has concurred with the Planning Board's recommendation;

Now, Therefore, Be It Resolved, that the City Council of the City of Lansing does hereby establish the boundaries for the Green Oak Target Area as follows:

From the west side of Pennsylvania Avenue, west to the railroad tracks west of Hill Street. From the south side of East Michigan Avenue to the north side of Kalamazoo Street.

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinances of the City of Lansing, Michigan providing that the Code of Ordinances be amended by:

Providing for the repeal of Sections 16-22 and 16-27.1 of Chapter 16, for the purpose of updating the ordinance concerning Rubbish Haulers.

Ordinance revision Sections 11-1, 11-2, 11-3, 11-4, 11-5 and by deleting Section 11-8 for the purpose of updating the Civil Defense Emergency Services Ordinance.

Ordinance adding new sections numbered 16-22 and 16-27.1 for the purpose of updating code provisions concerning Rubbish Haulers.

Ordinance revising Sections 17-24, 17-29, 17-30, 17-33, 17-34, 17-35 and 17-36 for the purpose of updating Code provisions concerning licensing of Health, Massage, Bath and similar establishments.

were introduced by Councilman Worthington, read a first and second time by their titles and referred to the Committee on General Services.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That a public hearing be held in the 10th Floor Council Chambers at 7:00 P.M. on April 15, 1985 for the following Ordinances:

Ordinance revising Sections 11-1, 11-2, 11-3, 11-4, 11-5 and by deleting Section 11-8 for the purpose of updating the Civil Defense Emergency Services Ordinance.

Ordinance adding new sections numbered 16-22 and 16-27.1 for the purpose of updating code provisions concerning Rubbish Haulers.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That a public hearing be held in the 10th Floor Council Chambers at 7:00 p.m. on April 22, 1985 for the Ordinance revising Sections 17-24, 17-29, 17-33, 17-34, 17-35 and 17-36 for the purpose of updating code provisions concerning licensing of Health, Massage, Bath and similar establishments.

Adopted by the following vote:

Unanimously.

ORDINANCES

By COUNCILMAN BELEN—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by: providing for the rezoning of properties located in the City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the code for properties located at:

Z-32-84 — 2726 N. Grand River to be rezoned from "F" Commercial and "J" Parking Districts to "G-2" Wholesale District.

Z-2-85 — Sunset Avenue to be rezoned from "A" Residential District, "H" Light Industrial and "F" Commercial Districts to "I" Heavy Industrial District.

and recommended that the ordinances be passed.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by: providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the code for properties located at: Z-32-84 — 2726 N. Grand River to be rezoned from "F" Commercial and "J" Parking Districts to "G-2" Wholesale District.

be placed on order of immediate passage.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by: providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the code for properties located at: Z-32-84 — 2726 N. Grand River to be rezoned from "F" Commercial and "J" Parking Districts to "G-2" Wholesale District.

be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2150

An ordinance of the City of Lansing, Michigan, providing for the rezoning of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing Ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property

described as follows:

Case Number: Z-32-84, 2726 North Grand River Avenue

Parcel Number: 3301-05-402-131-7

Legal Description: Beginning at the southeast corner of Lot 1, Cynwood Heights Subdivision; thence north 190 feet; thence 100 feet; thence south to the north line of North Grand River Avenue; thence northwesterly 110 feet to the point of beginning, City of Lansing, Ingham County, Michigan.

From "F" Commercial District and "J" Parking District to "G-2" Wholesale District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by: providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the code for properties located at: Z-2-85 — Sunset Avenue to be rezoned from "A" Residential District, "H" Light Industrial and "F" Commercial Districts to "I" Heavy Industrial District.

be placed on order of immediate passage.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by: providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the code for properties located at: Z-2-85 — Sunset Avenue to be rezoned from "A" Residential District, "H" Light Industrial and "F" Commercial Districts to "I" Heavy Industrial District.

be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2151

An ordinance of the City of Lansing, Michigan, providing for the rezoning of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing Ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-2-85, Sunset Avenue

Parcel Number: 3301-07-227-002 and 3301-08-101-015

Legal Description: Parcel A—South 472.65 feet of Lot 38, except the west 120 feet of the north 50 feet, Assessor's Plat #11.

Parcel B—North 350 feet of lot 45, north 300 feet of Lots 46 and 47, all of Lots 48, 49, 50, 51, also south 144.95 feet of west 530 feet of Lot 52, Assessor's Plat #11.

Parcel C—East 944 feet of the northeast $\frac{1}{4}$ of Section 7, south of Grand River, except the south 600.6 feet of Section 7, T4N, R2W, City of Lansing, Ingham County, Michigan;

From "A" Residential, "H" Light Industrial and "F" Commercial Districts to "I" Heavy Industrial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN BELEN—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by: establishing Chapter 27C to consist of Sections 27C-1 to 27C-9, inclusive, to provide for and regulate the regulations, collections, pretreatment, and treatment of industrial waste, for collection of the costs therefor and penalties for the violation of this Ordinance.

and recommended that the ordinance be passed.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by establishing Chapter 27C to consist of Sections 27C-1 to 27C-9, inclusive, to provide for and regulate the regulations, collections, pretreatment, and treatment of industrial waste, for collection of the costs therefor and penalties for the violation of this Ordinance.

be placed on order of immediate passage.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by establishing Chapter 27C to consist of Sections 27C-1 to 27C-9, inclusive, to provide for and regulate the regulations, collections, pretreatment, and treatment of industrial waste, for collection of the costs therefor and penalties for the violation of this Ordinance.

be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 698

An ordinance to amend the Lansing Code of Ordinances by establishing Chapter 27C to consist of Sections 27C-1 to 27C-9, inclusive, to provide for and regulate the regulations, collections, pretreatment, and treatment of industrial waste, for collection of the costs therefor and penalties for the violation of this Ordinance.

Section 1. The City Council hereby amends the Code of Ordinances of the City of Lansing by the addition of Chapter 27C to read as follows:

CHAPTER 27C

Industrial Waste and Pretreatment Ordinance

Sec. 27C-1. General Provisions. This is an ordinance regulating industrial waste pretreatment facilities and discharge of industrial waste into the City of Lansing publicly operated treatment works and providing for pollutant limitations, data collection, monitoring and

sampling, and providing for penalties for the violation thereof for the following purposes:

1.1.1 To prevent the introduction of pollutants into the Authority wastewater system which will interfere with the normal operation of the system or contaminate the resulting municipal sludge;

1.1.2 To prevent the introduction of pollutants into the Authority wastewater system which do not receive adequate treatment in the POTW, and which will pass through the system into receiving waters or the atmosphere or otherwise be incompatible with the system;

1.1.3 To improve the opportunity to recycle and reclaim wastewater and sludge from the system.

1.2 Definitions. Unless the context specifically indicates otherwise, the following terms and phrases, as used in this ordinance, shall have the meanings hereinafter designated.

1.2.1 Act or 'the Act'. The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.

1.2.2 Alternative Discharge Limit. Limits set by the City, in lieu of the promulgated National Categorical Pretreatment Standards for integrated facilities in accordance with the combined wastestream formula as set by the EPA.

1.2.3 Approval Authority. The administrator of the EPA until such time as the state pretreatment program is approved and then the Director of the Michigan Department of Natural Resources.

1.2.4 Authorized Representative of Industrial User. An authorized representative of an industrial user may be: (a) a principal executive officer of at least the level of vice-president, if the industrial user is a corporation; (b) a general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; or (c) a duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

1.2.5 Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at 20° centigrade expressed in terms of weight and concentration (milligrams per liter).

1.2.6 Building Sewer. A sewer conveying wastewater from the premises of a user to the POTW.

1.2.7 Categorical Standards. National Categorical Pretreatment Standards or Pretreatment Standard.

1.2.8 City The City of Lansing or the City Council of Lansing.

1.2.9 Chemical Oxygen Demand (COD). A measure of the oxygen-consuming capacity of inorganic and organic matter present in water or wastewater. It is expressed as the amount of oxygen consumed from a chemical oxidant in a specified test. It does not differentiate between stable and unstable organic matter and thus does not necessarily correlate with biochemical oxygen demand. Also known as OC and DOC, oxygen consumed and dichromate oxygen consumed, respectively.

1.2.10 Combined Wastestream. The wastestream at industrial facilities where regulated process effluent is mixed with other wastewaters (either regulated or unregulated) prior to or at the point of treatment.

1.2.11 Compatible Pollutant. A substance amenable to treatment in the wastewater treatment plant such as biochemical oxygen demand, suspended solids pH and fecal coliform bacteria, plus additional pollutants identified in the NPDES Permit if the publicly owned

treatment works was designed to treat such pollutants and in fact does remove such pollutant to a substantial degree.

1.2.12 Composite Sample. A series of samples taken over a specific time period whose volume is proportional to the flow or time in the waste stream, which are combined into one sample.

1.2.13 Cooling Water. The water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

1.2.14 Direct Discharge. The discharge of treated or untreated wastewater directly to the waters of the state.

1.2.15 Director. The Director of Public Service for the City of Lansing.

1.2.16 Environmental Protection Agency, or EPA. The U.S. Environmental Protection Agency, Administrator or other duly authorized official.

1.2.17 Grab Sample. A sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

1.2.18 Holding Tank Waste. Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump trucks.

1.2.19 Incompatible Pollutants. Any pollutant which is not a compatible pollutant.

1.2.20 Indirect Discharge. The discharge or the introduction of nondomestic pollutants into the POTW (including holding tank waste discharged into the system).

1.2.21 Industrial User. Any user which discharges industrial waste as defined in this ordinance.

1.2.22 Industrial Wastes. The wastewater discharges from industrial, manufacturing, trade or business processes, or wastewater discharge from any structure with these characteristics, as distinct from their employee's domestic wastes or wastes from sanitary conveniences.

1.2.23 Integrated Facilities. Industrial facilities with a combined wastestream.

1.2.24 Interference. The inhibition or disruption of the POTW treatment processes or operations which contributes to a violation of any requirement of the City's NPDES Permit or reduces the efficiency of the POTW. The term also includes prevention of sewage sludge use or disposal by the POTW.

1.2.25 Laboratory Determination. The measurements, tests and analyses of the characteristics of waters and wastes in accordance with the methods contained in the latest edition at the time of any such measurements, tests or analyses of the characteristics of waters and wastes in accordance with the methods contained in 40 CFR 136 or in accordance with any other method prescribed by the rules and regulations promulgated pursuant to this division.

1.2.26 National Categorical Pretreatment Standard. Any federal regulation containing pollutant discharge limits promulgated by the EPA which applies to a specific category of industrial users.

1.2.27 National Pollutant Discharge Elimination System or NPDES Permit. A permit issued pursuant to section 402 of the Act (33 U.S.C. 1342).

1.2.28 National Prohibitive Discharge Standard or Prohibitive Discharge Standard. Any regulation developed under the authority of 307(b) of the Act and 40 CFR, Section 403.5.

1.2.29 New Source. Any source, the construction of which is commenced after the adoption of this ordinance.

1.2.30 Person. Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or its legal representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.

1.2.31 pH. The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

1.2.32 Pollutant. Any of various chemicals, substances, and refuse materials such as solid waste, sewage, garbage, sewage sludge, chemical wastes, biological materials, radioactive materials, heat, and industrial, municipal and agricultural wastes which impair the purity of the water and soil.

1.2.33 Pollution. The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

1.2.34 Pretreatment or Treatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutants, or the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes other means, except as prohibited by 40 CFR Section 403.6(d).

1.2.35 Pretreatment Requirements. Any substantive or procedural requirement for treating of a waste prior to inclusion in the POTW.

1.2.36 Pretreatment Standards. National Categorical Pretreatment Standards of Alternative Discharge Limits, whichever is applicable.

1.2.37 POTW Treatment Plant. That portion of POTW designed to provide treatment to wastewater.

1.2.38 Publicly Owned Treatment Works (POTW). A treatment works as defined by section 212 of the Act (33 U.S.C. 1292), which is owned in this instance by the City. This definition includes any sewers that convey wastewater to the POTW treatment plant. For the purposes of this ordinance, "POTW" shall also include any sewers that convey wastewaters to the POTW from persons outside the city who are, by contract or agreement with the City, users of the City's POTW.

1.2.39 Shall is mandatory; May is permissive.

1.2.40 Significant Industrial User. Any Industrial User of the City's wastewater disposal system who (a) has a discharge flow of 25,000 gallons or more per average work day; or (b) has a flow greater than 5% of the flow in the City's wastewater treatment system; or (c) has in his wastes toxic pollutants as defined pursuant to Section 307 of the Act, Michigan statutes and rules; or (d) is found by the City, Michigan Department of Natural Resources or the U.S. Environmental Protection Agency (EPA) to have significant impact, either singly or in combination with other contributing industries, on the wastewater treatment system, the quality of sludge, the system's effluent quality, or air emissions generated by the system.

1.2.41 Significant Violation. A violation which remains uncorrected forty-five days after notification of noncompliance, which is part of a pattern of noncompliance over a twelve month period, which involves a failure to accurately report noncompliance, or which results in the exercise of the POTW's emergency authority under 40 CFR 403.8(f)(2)(vi)(B).

1.2.43 Slug Load. Any substance released in a discharge at a ratio and/or concentration which causes interference to a POTW.

1.2.43 Standard Industrial Classification (SIC). A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.

1.2.44 State. State of Michigan.

1.2.45 Storm Water. Any flow occurring during or following any form of natural precipitation and resulting therefrom.

1.2.46 Superintendent. The person designated by the City to supervise the operation of the publicly owned treatment works, who is charged with certain duties and responsibilities by this article, or his duly authorized representative.

1.2.47 Surcharge. As part of the service charge, any customer discharging wastewater having strength in excess of limits set forth by the City may be required to pay an additional charge to cover the cost of treatment of such excess strength wastewater.

1.2.48 Suspended Solids. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering.

1.3.9 NPDES—National Pollutant Discharge Elimination System

1.3.10 POTW—Publicly Owned Treatment Works

1.3.11 SIC—Standard Industrial Classification

1.3.12 SWDA—Solid Waste Disposal Act, 43 U.S.C. 6901, et seq.

1.3.13 TSS—Total Suspended Solids

1.3.14 USC—United States Code

1.3.15 O&M—Operation and Maintenance

1.3.16 CWA—Clean Water Act

2.1 General Discharge Prohibitions. No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the POTW. These general prohibitions apply to all such users of a POTW whether or not the user is subject to the National Categorical Pretreatment Standards or any other national, state or local Pretreatment Standards or requirements. A user may not contribute the following substances to any POTW:

2.1.1 Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW.

2.1.2 Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities.

2.1.3 Any wastewater having a pH less than 5.5 or greater than 10.5, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the POTW.

2.1.4 Any wastewater containing toxic pollutants in sufficient quantity, either singly or in interaction with other pollutants to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of POTW, or exceed the limitation set forth in a Categorical Pretreatment Standard.

2.1.5 Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life are sufficient to prevent entry into the sewers for maintenance and repair.

2.1.6 Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process.

2.1.7 Any substance which will cause the POTW to violate its NPDES Permit or the receiving water quality standards.

2.1.8 Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.

2.1.9 Any wastewater having a temperature which will inhibit biological activity in the POTW resulting in Interferences, but in no case wastewater with a temperature at the introduction into the POTW which exceeds 43°C (110°F).

2.1.10 Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which will cause Interference to the POTW.

2.1.11 Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Director in compliance with applicable state or federal regulations.

2.1.12 Any wastewater which causes a hazard to human life or creates a public nuisance.

2.2 National Categorical Pretreatment Standards. Upon the promulgation of the National Categorical Pretreatment Standards or Alternative Discharge Limits for a particular industrial subcategory, the Pretreatment Standard, if more stringent than limitations imposed under this Ordinance for sources in that subcategory, shall immediately supersede the limitations imposed under this Ordinance and shall be considered part of this Ordinance. The Director shall notify all affected users of the applicable reporting requirements.

2.3 Specific Pollutant Limitations. No person shall discharge on a 24 hour composite basis wastewater containing in excess of:

- 2.3.1 0.005 mg/l beryllium
- 2.3.2 1.0 mg/l cadmium
- 2.3.3 3.0 mg/l copper
- 2.3.4 1.0 mg/l cyanide
- 2.3.5 0.5 mg/l lead
- 2.3.6 0.0005 mg/l mercury
- 2.3.7 3.0 mg/l nickel
- 2.3.8 4.0 mg/l total chromium
- 2.3.9 3.0 mg/l zinc
- 2.3.10 100 mg/l oil and grease
- 2.3.11 0.30 mg/l phenolic compound

2.4 State Requirements. State requirements and limitations on discharge shall apply in any case where they are more stringent than Federal requirements and limitations or those in this ordinance.

2.5 City's Right of Revision. The City reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives presented in Section 1.1 of this ordinance.

2.6 Excessive Discharge. No user shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the National Categorical Pretreatment Standards, Alternative Discharge Limits, or

in any other pollutant-specific limitation developed by the City or State.

2.7 Accidental Discharge. Where required a user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this ordinance. Facilities to prevent accidental discharge or prohibited materials shall be provided and maintained at the owner's or user's cost and expense. On the request of the City, detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the City for review. All required users shall complete such a plan within 90 days after notification by the City of Lansing. If required by the City a user who commences contribution to the POTW after the effective date of this ordinance shall not be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the City. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of this ordinance. In the case of an accidental discharge, it is the responsibility of the user to immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and correction actions.

2.7.1 Written Notice. With five (5) days following an accidental discharge, the user shall submit to the Director a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this article or other applicable law.

2.7.2 Notice to Employees. A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees of whom to call in the event of a dangerous discharge. Employers shall insure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

Sec. 27C-3. Fees.

Purpose. It is the purpose of this chapter to provide for the recovery of costs from Users of the POTW for the implementation of the program established herein. The applicable charges or fees shall be set forth in the City's Schedule of Charges and Fees.

3.2 Charges and Fees. Charge shall be made for fees collected for:

3.2.1 Reimbursement of costs and setting up and operating the Pretreatment Program,

3.2.2 Monitoring, inspections and surveillance procedures,

3.2.3 Reviewing accidental discharge procedures and construction,

3.2.4 Filing appeals,

3.2.5 Consistent removal by the City of pollutants otherwise subject to Federal Pretreatment Standards, and others as the City may deem necessary to carry out the requirements contained herein.

3.3 The fee which shall be charged for this operation and administration of the programs will be as specified in Section 27-35 of this Code of Ordinances.

3.4 Additional surcharges may be made by the City to compensate the City for the cost of treatment of pollutant loadings not normally treated at or in excess of those treated by the POTW.

3.5 The charges and fees for the services provided by the program shall be levied upon any user which may have any sewer connections with the POTW and which discharges nondomestic waste to the POTW or any part thereof. Such charges shall be based upon the number of samples collected, the number of analyses conducted and the quality of nondomestic wastewater.

Sec. 27C-4. Administration.

4.1 Wastewater Dischargers. It shall be unlawful to discharge to the waters of the State within the City of Lansing, or in any area under the jurisdiction of said City, and/or to the POTW any wastewater except as authorized by the Director in accordance with the provisions of this Ordinance except as provided by an NPDES permit.

4.2.1 Information Required. All industrial users proposing to connect to or to contribute to the POTW shall submit information on the user, processes, and wastewater to the City before connecting to or contributing to the POTW. All existing industrial users connected to or contributing to the POTW shall submit this information within 90 days after the effective date of this Ordinance. The information submitted must be sufficient for the City to determine the impact of the user's discharge on the POTW and the need for pretreatment. The user shall submit, in units and terms appropriate for evaluation, the following information:

4.2.1.1 Name, address, and location (if different from the address).

4.2.1.2 SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended.

4.2.1.3 Wastewater constituents and characteristics including but not limited to those mentioned in Section 2 of this Ordinance as determined by a reliable analytical laboratory. Sampling and analysis shall be performed in accordance with the procedures and methods detailed in:

- "Standard Methods for the Examination of Water and Wastewater", American Public Health Association;

- "Manual of Methods for Chemical Analysis of Water and Wastes", United States Environmental Protection Agency;

- "Annual Book of Standards, Part 131, Water Atmospheric Analysis, 1975", American Society of Testing Materials.

4.2.1.4 Time and duration of contribution.

4.2.1.5 Average daily wastewater flow rates, including daily, monthly, and seasonal variations, if any.

4.2.1.6 When requested by the City, a User shall submit site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location, and elevation.

4.2.1.7 Description of activities, facilities, and plant processes on the premises including all materials which are or could be discharged.

4.2.1.8 Where known, the nature and concentration of any pollutants in the discharge which are limited by any City, State, or Federal Pretreatment Standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional Operation and Maintenance and/or additional pretreatment is required by the industrial User to meet applicable Pretreatment Standards.

4.2.1.9 If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards; the shortest schedule by which the User will provide such

additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. The following conditions shall apply to this schedule:

(1) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards.

(2) No increment referred to in paragraph (1) shall exceed 9 months.

(3) Not later than 14 days following each date in the schedule and the final date for compliance, the User shall submit a progress report to the Director including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the User to return the construction to the schedule established. In no event shall more than 9 months elapse between such progress reports to the Director.

4.2.1.10 Each product produced by the type, amount, process or processes and rate of production.

4.2.1.11 Type and amount of raw materials processed, average and maximum per day.

4.2.1.12 Number and type of employees, hours of operation of plant and proposed or actual hours of operation of pretreatment system.

4.2.1.13 Any other information as may be deemed by the City to be necessary to evaluate the impact of the discharge on the POTW.

4.2.2 Discharge Modifications. Within nine (9) months of the promulgation or revision of a National Categorical Pretreatment Standard or Alternative Discharge Limit, all affected users must submit to the City the information required by paragraphs 4.2.1.8 and 4.2.1.9 of Section 4.2.1.

4.2.3 Discharge Conditions. Wastewater discharges shall be expressly subject to all provisions of this Ordinance and all other applicable regulations, user charges and fees established by the City. The City may:

4.2.3.1 Set unit charges or a schedule of user charges and fees for the wastewater to be discharged to the POTW;

4.2.3.2 Limit the average and maximum wastewater constituents and characteristics;

4.2.3.3 Limit the average and maximum rate and time of discharge or make requirements for flow regulations and equalization;

4.2.3.4 Require the installation and maintenance of inspection and sampling facilities;

4.2.3.5 Establish specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule;

4.2.3.6 Establish compliance schedules;

4.2.3.7 Require submission of technical reports or discharge reports;

4.2.3.8 Require the maintaining, retaining and furnishing of plant records relating to wastewater discharge as specified by the City, and affording City access thereto, and copying thereof;

4.2.3.9 Require notification of the City for any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater

treatment system;

4.2.3.10 Require notification of slug discharges;

4.2.3.11 Require other conditions as deemed appropriate by the City to ensure compliance with this Ordinance.

4.3.1 Compliance Date Report. Within 90 days following the date for final compliance with applicable Pretreatment Standards or, in the case of a New Source, following commencement of the introduction of wastewater into the POTW, and User subject to Pretreatment Standards and Requirements shall submit to the Director a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by Pretreatment Standards and Requirements and the average and maximum daily flow for these process units in the User facility which are limited by such Pretreatment Standards or Requirements. The report shall state whether the applicable Pretreatment Standards or Requirements are being met on a consistent basis and, if not, what additional O&M and/or pretreatment is necessary to bring the User into compliance with the applicable Pretreatment Standards or Requirements. This statement shall be signed by an authorized representative of the Industrial User and certified to by a qualified representative.

4.3.2 Periodic Compliance Reports

4.3.2.1 Any User or New Source discharging into the POTW, shall submit to the Director during the months of June and December, unless required more frequently in Pretreatment Standards or by the Director, a report indicating the nature and concentration of pollutants in the effluent which are limited by such Pretreatment Standards or this Ordinance. In addition, this report shall include a record of all daily flows which during the reporting period exceed the average daily flow reported in paragraph 4.2.3.3 of this section. At the discretion of the Director and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the Director may agree to alter the months during which the above reports are to be submitted.

4.3.2.2 The Director may also impose mass limitations on Users which are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases in which the imposition of mass limitations is appropriate. In such cases, the report required by subparagraph 4.3.2.1 of this paragraph shall also indicate the mass of pollutants regulated by Pretreatment Standards in the effluent of the User.

4.4 Monitoring Facilities. The City may require to be provided and operated at the User's own expense, monitoring facilities to allow inspection, sampling, and flow measurement of the building sewer and/or internal drainage systems. The monitoring facility should normally be situated on the User's premises, but the City may, when such a location would be impractical or cause undue hardship on the User, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles. There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the User. Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with plans and specifications submitted to and approved by the City and all applicable local construction standards and specifications. When required, construction of those facilities shall be completed within 90 days following written notification by the City.

4.5 Inspection and Sampling. The City shall

inspect the facilities of any User to ascertain whether the purpose of this Ordinance is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the City or its representative ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination, records copying or in the performance of their duties. The City, MDNR, and EPA shall have the right to set up on User's property such devices as are necessary to conduct sampling inspection, compliance monitoring and/or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the User shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the City, MDNR and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities. While performing the aforementioned work on private premises, the City representatives shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the City employees, and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required by Section 4.4 of this Ordinance.

4.6 Pretreatment. Industrial Users shall provide necessary wastewater treatment as required to comply with this Ordinance and shall achieve compliance with all National Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations and as required by the City. Industrial Users with integrated facilities shall comply with any Alternative Discharge Limits as set by the City. Any facilities required to pretreat wastewater to a level acceptable to the City shall be provided, operated, and maintained at the User's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the City for review at the request of the City. The review of such plans and operating procedures will in no way relieve the User from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the City under the provisions of this Ordinance. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to the City prior to the User's initiation of the changes.

The City shall annually publish in the major local newspaper a list of the Users which were significantly violating any applicable Pretreatment Requirements or Standards during the twelve previous months. The notification shall also summarize any enforcement actions taken against the User(s) during the same twelve months.

All records relating to compliance with Pretreatment Standards shall be made available to officials of EPA or MDNR upon request.

4.7 Confidential Information. Information and data on a User obtained from reports, questionnaires, permit applications, permits, and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the User specifically requests and is able to demonstrate to the satisfaction of the City that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets of the User.

When requested by the person furnishing a report, the portion of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available

upon written request to governmental agencies for uses related to this Ordinance, the National Pollutant Discharge Elimination System (NPDES) Permit, or the Pretreatment Programs; provided, however, that such portions of a report shall be available for use by the State or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

Information accepted by the City as confidential shall not be transmitted to any governmental agency or to the general public by the City until and unless a ten-day notification is given to the User.

Sec. 27C-5. Enforcement.

5.1 Harmful Contributions. The City may suspend the wastewater treatment service when such suspension is necessary, in the opinion of the City, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons or the environment, causes Interference to the POTW or causes the City to violate any condition of its NPDES Permit.

Any person notified of a suspension of the wastewater treatment service shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the City shall take such steps as deemed necessary including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or endangerment to any individuals. The City shall reinstate the wastewater treatment service upon proof of the elimination of the non-complying discharge. A detailed written statement submitted by the User describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the City within 15 days of the date of occurrence.

5.2 Notification of Violation. Whenever the City finds that any User has violated or is violating this Ordinance, or any prohibition, limitation of requirements contained herein, the City may serve upon such person a written notice stating the nature of the violation. Within 30 days of the date of the notice, a plan for the satisfactory correction thereof shall be submitted to the City by the User.

5.3 Show Cause Hearing.

5.3.1 Any User subject to enforcement action under the provisions of this Ordinance may request a hearing before the Director within ten (10) days of receipt of notification of proposed enforcement action. A hearing is to be held by the Director concerning the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the User to show cause before the Director why the proposed enforcement action should not be taken.

5.3.2 The Director may conduct the hearing and take the evidence, or may designate any officer or employee to:

5.3.2.1 Issue in the name of the Director notices of hearing requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings.

5.3.2.2 Take the evidence.

5.3.2.3 Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendation to the Director for action thereon.

5.3.3 At any hearing held pursuant to this Ordinance, testimony taken must be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges thereof.

5.3.4 After the Director has reviewed the evidence, he may issue an order to the User responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices, or other related appurtenances shall have been installed on existing treatment facilities, and that said devices or other related appurtenances are properly operated. Further orders and directives as are necessary and appropriate may be issued.

5.3.5 The Director shall also establish appropriate surcharges or fees to reimburse the City for the additional cost of operation and maintenance of the wastewater treatment works due to the violations of this Ordinance.

5.3.6 Any action by the Director may be appealed to the City Council.

5.4 Legal Action. If any person discharges sewage, industrial wastes or other wastes into the City's wastewater disposal system contrary to the provisions of this Ordinance, Federal or State Pretreatment Requirements, or any order of the City, the City Attorney may commence an action for appropriate legal relief in the 54-A District Court and/or appropriate equitable relief in the Circuit Court of the county in which the violation takes place.

5.5 Records Retention.

All Users subject to this Ordinance shall retain and preserve for no less than three (3) years, any records, books, documents, memoranda, reports, correspondence and any and all summaries thereto, relating to monitoring, sampling and chemical analyses made by or in behalf of a User in connection with its discharge. All records which pertain to matters which are the subject of Administrative Adjustment or any other enforcement or litigation activities brought by the City pursuant hereto shall be retained and preserved by the User until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

Sec. 27C-6. Penalty Costs.

6.1 Civil Penalties. Any User who is found to have violated an Order of the City or who willfully or negligently fails to comply with any provision of this Ordinance, and the orders, rules, and regulations issued hereunder, shall be fined not less than \$100.00 nor more than \$500.00 for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the City may recover reasonable attorneys fees, court costs, court reporters' fees and other expenses of litigation by appropriate suit at law against the person found to have violated this Ordinance or the orders, rules, regulations, and permits issued hereunder.

6.2 Falsifying Information. Any person who knowingly makes any false statements, representation or certification in any application record, report, plan or other document filed or required to be maintained pursuant to this Ordinance, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Ordinance, shall, upon conviction, be punished by a fine of not more than \$500.00 or by imprisonment for not more than 90 days, or by both.

Section 2. All Ordinances or parts of Ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This Ordinance shall expire by its own terms ten years from the date of its adoption.

Section 4. This Ordinance shall take effect thirty (30) days after the date of its passage unless given immediate

effect by City Council.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing:

This Ordinance being necessary for the immediate preservation for the public peace, health or safety shall take effect upon its passage.

Carried.

By COUNCILMEN BELEN AND LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Peggy Merchant, 432 Allen St., submits letter requesting no parking across street from 1518 Marcus St.

Referred to the Traffic Department.

Letter from Robert Denslow, 1610 Indiana Avenue, regarding claim for damages to his car while parked at his place of employment from an employee of the Lansing Housing Department.

Referred to the City Attorney.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing on May 13, 1941 acquired a certain parcel of land, situated and being in the City of Lansing, Ingham County, Michigan, and described as follows; to-wit:

All of Lot Eleven (11), Assessor's Plat Number Eighteen (18) except the west one hundred thirty-two (132) feet thereof but including, however, the north sixty-six (66) feet of the south three hundred four (304) feet of said west one hundred thirty-two (132) feet, said Plat being recorded April 13, 1928 in Plat Book 10, page 21; excepting and reserving, however, the right of ingress and egress to the North sixty-six (66) feet of the South Three hundred four (304) feet of said West one hundred thirty-two (132) feet of said Lot Eleven (11), Assessor's Plat Number Eighteen (18), said exception and reservation to run with the land, and,

Whereas, a question exists as to the extent of the easement of ingress and egress reserved in the grant, and,

Whereas, for the purpose of clarifying the nature and extent of the easement as it applies to Lot 12 and Lot 13 of Assessor's Plat Number Eighteen (18), City of Lansing, County of Ingham, state of Michigan,

It is hereby resolved that the City of Lansing is authorized to grant two easements of ingress and egress across the north sixty-six (66) feet of the South three hundred four (304) feet of the west one hundred thirty-two (132) feet of Lot Eleven (11) Assessor's Plat Number Eighteen (18) and more fully described as follows:

A. To the property owner of Lot #12 Assessor's Plat #18, an easement of ingress and egress to the rear of Lot #12, over the following described land: A twenty (20) foot wide parcel of land located ten (10) feet on either side of a line described as beginning at a point located on the west property line, thirty-three (33) feet south of the northwest corner of the above described property; thence due west fifty-eight feet, thence due north thirty-three (33) feet, to a point which is on the south line of lot twelve (12), Assessor's Plat #18;

B. To the property owner of Lot #13, Assessor's Plat #18, an easement of ingress and egress to the rear of Lot #13, over the following described land: a twenty (20) foot wide parcel of land located ten (10) feet on either side of a line described as beginning at a point located on the west property line, thirty-three (33) feet south of the northwest corner of the above described property; thence due west one hundred seventeen (117) feet, thence due south, thirty-three (33) feet to a point which is on the north line of Lot Number Thirteen (13) Assessor's Plat Number 18, and,

Be It Finally Resolved that the Mayor and City Clerk are authorized to sign all documents necessary to convey said easement in recordable form.

Adopted by the following vote:

Unanimously.

REMARKS BY THE MAYOR

City Auction to be held Saturday, April 13, 1985.

Remarks on the flood stages of rivers within Lansing.

Branch removal from storm on January 1, 1985.

Willard Street Dike

Letter presented regarding status of "100" Block Hotel.

April 8, 1985

Council President Charles Creamer
Members of City Council
9th Floor, City Hall
Lansing, Michigan 48933

Dear President Creamer and Council Members,

Attached is a letter from Jim Cooper of the Churchill Company giving the status of the 100 block hotel.

You will note that the partnership is following the letter agreement and will furnish the legally binding commitments to HUD during April. This will enable us to retain the grant and provide for the Exhibition Hall.

Continued follow up on each of the categories will be made to enable construction to be started in early June.

Very truly yours,

Terry J. McKane, Mayor

Received and placed on file.

REMARKS BY THE COUNCIL MEMBERS

Councilmember Lindemann requested update of costs from Mayor for Downtown Development Authority at Thursday's Public Properties and Safety Meeting.

Councilmember Adado questioned Mayor's letter regarding 100 block hotel. Emerson Ohl, Economic Development Director, answered questions in regard to this project and the Meijer's UDAG Grant.

Councilmember Benavides questioned when security of building would be in full effect.

Robert Lannen, read letter in answer to issues of Mary Haney's campaign regarding study of Police Department.

Richard Fiser, 1909 E. Willard, spoke regarding monitor for lift stations in his area and questioned the lowering of Rivers when flooding is expected.

Frances Post, 2815 Ruth, spoke regarding flooding of her basement.

Kurt Kunkleman, 1722 S. Washington, thanked

Councilmembers for recent basketball game held for charity.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:05 P.M.

RITA BAUMAN,
City Clerk

April 8, 1985

Lansing, Michigan

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, April 15, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

April 15, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—7.

Absent: Belen—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Schmidt.

Pledge of allegiance was led by the Boys and Girls Club of Lansing - North Side.

By COUNCILMAN BENAVIDES—

That the council proceedings of March 18, 1985 be approved.

Carried.

PUBLIC HEARING

April 15, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed amendment to Chapter 2 by adding a new section 2-10 for the purpose of updating the Civic Center Advisory Board to bring it into conformance with the City Charter.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance amendment they had the privilege of speaking at this time.

No person spoke.

Referred to the Committee on General Services.

PUBLIC HEARING

April 15, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed adding of a new Chapter 8 to the Code of Ordinances, containing sections numbered 8-1 through 8-11 for the purpose of regulating animals and fowl running at large.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance they had the privilege of speaking at this time.

James Brown, Pet Store Manager, 223 Ann St., East Lansing, MI spoke regarding exotic birds according to the ordinance.

Councilmember Worthington wanted it noted he had received notice from Ellen Moore, Landlord's Association, who suggested a leash law and owners cleaning up after their animals to be written into the ordinance.

Referred to the Committee on General Services.

PUBLIC HEARING

April 15, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed ordinance revising sections 11-1, 11-2, 11-3, 11-4, 11-5, and by deleting Section 11-8 for the purpose of updating the Civil Defense; Emergency Services Ordinance.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance revision they had the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on General Services.

PUBLIC HEARING

April 15, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed ordinance adding a new Chapter 14 for the purpose of adopting the Uniform Fire Code.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance they had the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on General Services.

PUBLIC HEARING

April 15, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed ordinance adding new sections numbered 16-22 and 16-27.1 for the purpose of updating code provisions concerning Rubbish Haulers.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance they had the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on General Services.

By COUNCILMEMBER BENAVIDES—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of allowing the Mayor to present his three proclamations at this time.

Carried.

Mayor McKane presented Rabbi Morton Hoffman of Shaarey Zedek Congregation and psychologist Louis Post who spoke at this time.

The Mayor presented the Proclamation - "Days of Remembrance of the Victims of the Holocaust" to each of them.

PROCLAMATION

Whereas, Less than forty years ago, six million Jews were murdered in the Nazi Holocaust as part of a systematic program of genocide, and millions of other people perished as victims of Nazism, and,

Whereas, the people of the City of Lansing should always remember the atrocities committed by the Nazis so that such horrors may never be repeated, and,

Whereas, the people of the City of Lansing should continually rededicate themselves to the principle of equal justice for all people, and,

Whereas, the people of the City of Lansing should remain eternally vigilant against all tyranny, and recognize that bigotry provides a breeding ground for tyranny to flourish, and,

Whereas, April 18, 1985 has been designated pursuant to an Act of Congress and internationally as a Day of Remembrance of Victims of the Nazi Holocaust known as Yom Hashoah, and,

Whereas, it is appropriate for the people of the City of Lansing to join in the international commemoration,

Now, therefore, I, Terry J. McKane, Mayor of the City of Lansing, proclaim that, in memory of the victims of the Holocaust, and in the hope that we will strive always to overcome prejudice and inhumanity through education, vigilance, and resistance, the week of April 14 through April 21, 1985 be designated as:

"Days of Remembrance of the Victims of the Holocaust"

Given under my hand and the Seal of the City of Lansing this twenty-eighth day of March in the year of our Lord one thousand nine hundred and eighty-five.

Terry J. McKane,
Mayor

PROCLAMATION

Whereas, the Boys and Girls Clubs of Lansing was formed in 1964 with a small membership which has to date grown to 900 participants, and,

Whereas, later, in 1965, the first Executive Director was hired, and the Northside Club opened at 1235 Center Street, followed in 1974 by the Southside Club at 2400 Reo Road, and,

Whereas, since its inception, the Boys and Girls Club of Lansing has continually strived to obtain the increased membership and has been accepted into the Capital Area United Way, Inc. of Ingham County, and,

Whereas, in 1968, a full-time Program Director was hired to assist in the goals of the Club, namely to bring the membership trained and sympathetic leadership to build better youth to become better citizens, and,

Whereas, the Boys and Girls Club sees in a youth not only the need to guard their health, train them in the vocations and provide for their free time, setting up signs that will guide them through the path of adulthood, but teaches a sense of social responsibility and spiritual

values to help youth become good parents and active community members, as well as effective citizens, and,

Whereas, the Boys Clubs of America will be celebrating their 79th anniversary during the week of April 14; the Boys and Girls Club of Lansing will be celebrating its 20th year of activities dedicated to the betterment and growth of youth of Michigan's Capital City.

Now, Therefore, I, Terry J. McKane, Mayor of the City of Lansing, by the power vested in me, do hereby proclaim the week of April 14 - April 20, 1985 as:

"Boys and Girls Club Week"

in Lansing, and I urge all citizens to fully recognize the services this organization provides to the youth of this community.

Given under my hand and the Seal of the City of Lansing this fifteenth day of April, in the year of our Lord one thousand nine hundred and eighty-five.

Terry J. McKane,
Mayor

PROCLAMATION

Whereas, National Building Safety Week, which is being held this year from April 14-20, 1985, proposes to encourage all Americans to become more aware of the important health and life safety services available to them from their state and local professional building departments. This special week is sponsored jointly by the National Conference of States on Building Codes and Standards, Inc. and the Council of American Building Officials. We are proud to commend the membership of these organizations, as well as the many people throughout the Great Lakes State who make it their business to design, construct, and ensure the safety of our homes and many public structures, and,

Whereas, countless buildings are erected each year in the State of Michigan. A great part of the construction plans and architectural designing of these buildings include safeguards for the people or property that will occupy the building. Moreover, ensuring the safety of buildings is a most praiseworthy endeavor, one that involves the development, implementation, and promotion of new product acceptance, uniform regulations, and the adoption of model codes, and,

Whereas, the promotion of National Building Safety Week fosters cooperation among government officials and the design, manufacturing, business, and consumer interests affected by building codes. By working together, these diverse groups disseminate vital information on quality and standards of building materials and systems and on new construction techniques and materials. Whether it involves possible fire hazards or possible structural deficiencies, proper building safety plays a significant role in this state's building industry.

Now, Therefore, I, Terry J. McKane, Mayor of the City of Lansing, by the power vested in me, do hereby proclaim the week of April 14-20, 1985 as:

"National Building Safety Week"

in Lansing and urge the citizens of this community to join with me in commending Lansing's Building Safety Division for their role in providing safe structures.

Given under my hand and the Seal of the City of Lansing this ninth day of April in the year of our Lord one thousand nine hundred eighty-five.

Terry J. McKane,
Mayor

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS

LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Resolution No. 4 was pulled from the agenda.

George Sinadinos spoke regarding Communication #10 regarding the City's Parking System.

Byron Coy, representing Chief Okemos Council for Boy Scouts spoke regarding their flag and slogan "Spirit Lives On."

By COUNCILMEMBER ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting Buzz Hart, Lansing Recreation Center, representing Neighborhood Watch #133, to speak on a Public Forum Meeting to be held April 23, 1985 at 7:00 p.m. in the Council Chambers in regard to the prostitution situation.

Carried.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

Mechanical Amusement Device—Velvet Rail Billiards, Mario's and Liz's Market, Inc.

Public Drivers—John C. Trayler, David A. DeShong, Marvin Hector, Mark L. Allward, Donald R. Carter, Steven G. Larkins, Bradley O. Astalos, Vershul E. Olson, William A. Hale.

Second Hand Dealer—Twice is Nice Resale Shoppe.

Ice Cream Peddler—Mister Jolly Ice Cream, Captain Blizzard.

Auctioneer—James Korrey, Mel White, Ben Glardon, William J. Stanton, John S. Ford.

Building Wrecker—Ace Wrecking Co.

Referred to the Committee on General Services.

Suit filed in Circuit Court by Lansing Independent Employees Union v. City regarding complaint to vacate arbitration award of James Hixson.

Referred to the Mayor and City Attorney.

Claims filed by:

- a. Muriel Lindsay, 120 E. Paris, for reimbursement of damages due to city sewer drain being plugged.
- b. Mrs James Desormier, 4061 Woodbridge, for reimbursement of an automobile tire damaged in hitting a pothole.
- c. Two claims filed by Matthew J. Bradstreet, Mason, MI regarding damage to automobile tires.

Referred to the Mayor and City Attorney.

Application for Commercial Redevelopment District filed by Alan S. Martin, representing Quality Dairy Co, for property at 2100 S. Washington Avenue.

Referred to the Mayor and Committee on Economic Development.

Art C. Baryames submits notice of intent to withdraw application for creation of a Commercial Redevelopment District and refile for tax abatement under the Parin Rehabilitation and Industrial Development

District for property located at 2423 S. Cedar St.

Referred to the Mayor and Committee on Economic Development.

Saint Lawrence Hospital submits request for Act 285 determination for encroachment of hospital parking ramp.

Referred to the Mayor.

Marvin F. Fouty submits notification of monuments and lot corner irons being placed in South Pines Subdivision.

Received and placed on file. (Mayor's letters F)

Letter from Great Lakes United regarding support of 1985 annual membership.

Referred to the Committee on Ways and Means. George P. Sinadinos submits request to address City Council regarding the City's Municipal Parking System.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA:

Mayor's letters 3d (Satellite locations—payment of parking tickets); 3j (Lenore Ave.—speed and volume of traffic); 3k (Reappointment of John Petroff to the EDC Board of Directors); 3l (President Reagan's Fiscal Year 1986 Budget Proposal); 3o (Willard Street Dike); and 3q (Reappointment to the Fire Board.)

REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

Mechanical Amusement Device—Velvet Rail Billiards, Mario's and Liz's Market, Inc.

Public Drivers—John C. Trayler, David A. DeShong, Marvin Hector, Mark L. Allward, Donald R. Carter, Steven G. Larkins, Bradley O. Astalos, Vershul E. Olson, William A. Hale.

Second Hand Dealer—Twice is Nice Resale Shoppe.

Ice Cream Peddler—Mister Jolly Ice Cream, Captain Blizzard.

Auctioneer—James Korrey, Mel White, Ben Glardon, William J. Stanton, John S. Ford.

Building Wrecker—Ace Wrecking Co.

Signed:

Sidney Worthington
Alfreda Schmidt
Charles Creamer
Committee on General Services

By COUNCILMEMBER WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

THE COMMITTEE ON HUMAN SERVICES & INTERGOVERNMENTAL RELATIONS—

To whom was referred the matter of procedure for notification of human service agencies subcontracting with the City through the Human Resources Department, reports as follows. In an attempt to minimize confusion and misunderstanding between the City and subcontracting agencies, the Committee recommends the

following: in the annual allocation process, immediately following the decision of the Human Resources Board, each agency, whether funded or not, should be notified by letter, of the disposition of its request for funding by the City.

Signed:

Alfreda Schmidt
Charles Creamer
Tony Benavides
Committee on Human Services and
Intergovernmental Relations

By COUNCILMEMBER SCHMIDT—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

DATE: 4-10-85

TO: President Creamer and City Councilmembers

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application—Boy Scouts of America (Ottawa District)

Attached is an application for a parade permit from the above-referenced organization, scheduled for 7:00 a.m. on Saturday, May 18, 1985, which has been approved by all the necessary departments.

Due to the nature of this route, our personnel estimate this will be of no cost to the City.

This is being forwarded to you for final action.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Police Chief and approve this parade permit for the Boy Scouts of America (Ottawa District) for May 18, 1985.

Carried.

DATE: 4-11-85

TO: Council President Creamer and Councilmembers

FROM: Greg Koessel, Internal Auditor

SUBJECT: Submission of Fire Suppression Program Audit

In accordance with the City Charter, Chapter 4, Section 3-402, and in accordance with the City Council Resolution adopted March 4, 1985, the attached audit is submitted for your review.

Greg Koessel,
Internal Auditor

Referred to the committee on Public Properties and Safety.

April 11, 1985

Council President Charles Creamer and
City Councilmembers

Dear President Creamer and City Councilmembers,

This letter is to advise you that the staff of the Transportation Division is working on the proposal to develop satellite locations for payment of parking tickets. The analysis will be completed and forwarded to the Traffic Board for their review at the May 1985 meeting.

While the request appears to be uncomplicated,

preliminary studies indicate extensive details must be further evaluated and addressed before implementation can occur.

Therefore, in light of the above, an operational date of June 1, 1985 for installation of satellite locations is not, at this time, being considered.

However, rest assured that the staff continues to on developing a plan for review by the Traffic Board, myself and the City Council.

Sincerely,

Terry J. McKane,
Mayor

Referred to the Committee on Public Properties and Safety.

April 8, 1985

Council President Charles Creamer and
Councilmembers

Dear President Creamer and City Councilmembers,

Attached is a letter I received from Church World Service, sponsors of the annual Crop Walk. As you will see from the contents of the letter, the Arrangements Committee is respectfully requesting that my office and the City Council host this community event in their effort to raise funds for the hungry people of Lansing and the world.

My office has worked with the management of the Civic Center and has found that it will cost the City approximately \$1,725.00 to host this event. Last year the event raised over \$42,000.00, one-quarter of this money stayed in Lansing at the Food Bank.

It is my opinion that this would be a worthwhile event to host and ask that you concur with me.

Sincerely,

Terry J. McKane,
Mayor

Referred to the Committee of the Whole.

DATE: 4/11/85

TO: Council President Charles Creamer and City
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of correspondence from City
Controller

RE: Release of funds—South Pines Subdivision

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and the financial security of \$1020.00 be released by the City.

Carried.

DATE: 4/11/85

TO: Council President Charles Creamer and City
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of correspondence from the
Public Service Department.

RE: Proposed Wastewater Sewerage Rates for F.Y. 85-86.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to the Committee on Physical Development.

DATE: 4/11/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of correspondence from Public Service Department.

RE: Museum Drive Alignment, Lake Lansing Road Alignment, Industrial Pretreatment Program.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Museum Drive Alignment—Referred to the Committee on Public Properties and Safety.

Lake Lansing Road Alignment—Referred to the Committee on Public Properties and Safety.

Industrial Pretreatment Program—Referred to the Committee on Physical Development.

DATE: 4/11/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of correspondence from the Public Service Department.

RE: Sidewalk installation—East side of Logan St., North of Grand River.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to the Committee on Physical Development.

DATE: 4/9/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of correspondence from Transportation Division.

RE: Lenore Ave.—Speed and Volume of Traffic.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

April 10, 1985

City Council President Charles Creamer
and Lansing City Council Members

Dear President Creamer and Councilmembers,

In accordance with section 4, (2) (3) (4) (5) of the Economic Development Corporation Act 338, as amended, please be advised that I am submitting for your consideration and confirmation the reappointment of John Petroff to the Economic Development Corporation Board of Directors. Their term as provided for in the Act will be for a period of six (6) years and will expire in February of 1991.

I trust you will give careful consideration to the reappointment of Mr. Petroff to this important board.

Best personal regards,

Terry J. McKane,
Mayor

Referred to the Committee on Economic Development.

DATE: 4/10/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of correspondence from Senator Carl Levin.

RE: President Reagan's Fiscal Year 1986 Budget Proposal.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file with a copy to the Committee on Ways and Means.

DATE: 4/11/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of correspondence from the Finance Director.

RE: Transfer of funds.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to the Committee on Ways and Means.

DATE: 4/11/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of correspondence from the Public Service Department.

RE: Vacation of East St.—P.S. 26045

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 4/11/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Correspondence Mailed to Residents—Willard Ave. Area.

RE: Correspondence mailed in response to concerns raised by the residents of the Willard Ave. area.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file with copy to Committee on Physical Development.

DATE: 4/11/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of correspondence from the National Organization on Disability.

RE: Lansing's Honorable Mention Award—National Organization on Disability.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

April 11, 1985

Council President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and City Councilmembers:

I herewith submit to you for your consideration and confirmation the reappointment of Fire Commissioner John Lewis, Jr. to the Fire Board. The term will expire in June 1989.

I trust you will give careful consideration to the reappointment of Fire Commissioner John Lewis, Jr.

Best personal regards,

Sincerely,

Terry J. McKane,
Mayor

Referred to the Committee on Public Properties and Safety.

RESOLUTIONS

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has been an organized, functioning governmental unit for 125 years; and

Whereas, the week of April 22, 1985 through April 28, 1985 has been designated as National Volunteer Week; and

Whereas, the contributions made by hundreds of volunteers improve the functioning of the City of Lansing; and

Whereas, it is important that the City give recognition to these outstanding citizens for their contributions; and

Whereas, these citizens are represented as: Mayoral, City Council, and Departmental Board/Commission/Committee members, and/or area board appointees, Friends of groups, Athletic and City Market

Committees, cultural committees, Neighborhood Councils, Planning and Study groups; and

Whereas, citizens are, also, represented as volunteers for: Police and Fire Explorers, Box 23 Fire Associates, Information Desk and Senior Center Volunteers, Energy Program Volunteers, Amateur Radio Operators, Toy Makers, and Adopt-a-Park Volunteers; and

Whereas, citizens volunteer as interns, snow shovelers, and tutors; and

Whereas, City personnel, likewise serve as volunteers for some previously referenced activities, as well as, United Way Volunteers,

Now, Therefore, Be It Resolved, that the Mayor and the City Council of the City of Lansing do, hereby, express sincere appreciation to volunteers of the City of Lansing; and

Be It Further Resolved, that _____ is recognized for his/her volunteerism; and

Be It Finally Resolved, that the Mayor and City Council on this day, April 26, 1985, pay special tribute to you, its volunteers.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, in the FY 86 Budget Policies and Priorities resolution adopted October 22, 1984, this Council requested the City Administration to develop a parks maintenance classification system based upon levels of usage and capabilities; and

Whereas, the Parks and Recreation Department has submitted a table of Park Maintenance Classification Definitions describing various maintenance schedules in categories A, B and C; and

Whereas, the Committee on Public Properties and Safety has recommended that the Park Maintenance Classification Definitions be adopted as continuing policy immediately rather than as part of the FY 86 budget;

Now, Therefore, Be It Resolved, the Lansing City Council hereby adopts as policy the attached Park Maintenance Classification Definitions, effective immediately; and

Be It Further Resolved, in conjunction with the above action, all maintenance items for Riverfront Park and the River Trail from Spring Street north to Dietrich Park that are currently below Class A are hereby placed in the Class A Maintenance Schedule; and

Be It Finally Resolved, any increased costs for FY 85 Class A maintenance of Riverfront Park and the River Trail shall be paid from unencumbered current year accounts in the Parks and Recreation Department budget.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER ADADO—

That items be discharged from the Committee on Economic Development for Resolutions 3A, 3B1 and 3Bs.

Carried.

By THE COMMITTEE OF THE WHOLE—

**Resolution Approving Project Area and
Establishing Project District Area**

(Michigan Biotechnology Institute Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan, held at 7:00 o'clock P.M., Michigan Time, in April 15, 1985, at which the following members were present:

Councilmembers Adado, Benavides, Blair, Creamer, Lindemann, Schmidt and Worthington.

and the following were absent:

Councilmember Belen.

The following preamble and resolution were offered by Adado and supported by Worthington:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, Michigan Biotechnology Institute, a Michigan non-profit corporation (the "Company") has proposed a project (the "Project") to the Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions; and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and Project District Area for its Project to this City Council for its approval thereof.

Now, Therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer, is hereby certified as approved:

See Exhibit "A"

2. The Project Area as above designated is zoned for the intended purpose of the Project, the territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area having the same description as the Project Area is hereby established.

3. Pursuant to Section 20(b) and (c) of the Act, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed.

4. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

Yeas: Councilmembers Adado, Benavides, Blair, Creamer, Lindemann, Schmidt and Worthington.

Nays: none

Abstentions: none

Resolution declared adopted.

Blair returned to Meeting.

Adopted by the following vote:

Unanimously.

STATE OF MICHIGAN }
COUNTY OF INGHAM } SS.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on the 15th day of April, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

Rita M. Bauman
Lansing City Clerk

Exhibit A

Survey of property legally described as:

A part of the West ½ of the Northwest ¼ of Section 26, T4N, R2S, City of Lansing, Ingham County, Michigan, described as commencing at the West ¼ corner of Section 36; thence S89°26'28"E 1307.16 feet along the East-West ¼ line to the Southeast corner of the West ½ of the NW ¼ of Section 36; thence N00°07'51"W along the East line of the West ½ of the NW ¼ 825.06 feet to the point of beginning; thence N89°26'28"W ½ of the NW ¼ 825.06 to the point of beginning; thence N89°26'28"W 969.42 feet parallel with the East-West ¼ line to the East line of Highway U.S. 127; thence N10°12'40"W 167.30 feet along said East line; thence N00°23'21"E 493.42 feet along said East line; thence S89°26'28"E 994.22 feet to the East line of the West ½ of the NW ¼; thence S00°07'51"E 657.81 feet to the point of beginning, containing 15,000 acres of land, more or less and subject to any easements or rights of way of record.

By COMMITTEE OF THE WHOLE—

Resolution Setting Hearing Date

(Michigan Biotechnology Institute Project)

Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held at 7:00 o'clock, P.M., Michigan Time, on April 15, 1985, at which the following members were present:

Councilmembers Adado, Benavides, Blair, Creamer, Lindemann, Schmidt and Worthington

and the following were absent:

Councilmember Belen

The following preamble and resolution were offered by Adado and supported by Worthington.

Whereas, this City Council has heretofore approved a Project Area and established a Project District Area for the Michigan Biotechnology Institute Project (the "Project") of The Economic Development Corporation of the City of Lansing (the "Issuer");

Whereas, this City Council has received a Project Plan for said Project, which Project Plan contains the information required by Section 8 of Act No. 338 of the Public Acts of 1974, as amended (the "Act"), including information relating to the proposed issuance and sale by the Issuer of its limited obligation economic development revenue bonds to finance a portion of the costs of the Project;

Whereas, this City Council wishes to set a date for a public hearing on the Bonds and the Project Plan.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, as follows:

1. A public hearing upon the Bonds and the Project Plan for said Project shall be held at 7:00 o'clock, P.M.

Michigan Time, on the 29th day of April, 1985, in the City Council Chambers, Lansing City Hall, in the City of Lansing, County of Ingham, Michigan. At such hearing, the City Council of the City of Lansing shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for the expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the Bonds and the Project Plan. The governing body shall make and preserve a record of the public hearing, including all data presented thereat.

2. The City Clerk is hereby directed to publish, post, and mail notice of such hearing, such notice to be substantially in the form attached hereto, in accordance with Section 17 of the Act.

3. The City Clerk is hereby directed to forward three (3) certified copies of this resolution to the Secretary of the Issuer.

4. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

Yeas: Councilmembers Adado, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington.

Nays: None.

Abstentions: None.

Resolution declared adopted.

Adopted by the following vote:

Unanimously.

STATE OF MICHIGAN)
COUNTY OF INGHAM) SS.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on the 15th day of April, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

Rita M. Bauman
Lansing City Clerk

By COMMITTEE OF THE WHOLE—

Resolution Setting Hearing Date

(Michigan Theatre Renovation Project
a/k/a/ Atrium Office Partners Project)

Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held at 7:00 o'clock, p.m., Michigan Time, on April 15, 1985, at which the following members were present:

Councilmembers Adado, Benavides, Blair, Creamer, Lindemann, Schmidt and Worthington

and the following were absent:

Councilmember Belen.

The following preamble and resolution were offered by Adado and supported by Worthington:

Whereas, this City Council has heretofore approved a Project Area and established a Project District Area for the Michigan Theatre Renovation Project a/k/a/ Atrium Office Partners Project (the "Project") of The Economic Development Corporation of the City of

Lansing (the "Issuer");

Whereas, this City Council has received a Project Plan for said Project, which Project Plan contains the information required by Section 8 of Act No 338 of the Public Acts of 1974, as amended (the "Act"), including information relating to the proposed issuance and sale by the Issuer of its limited obligation economic development revenue bonds to finance a portion of the costs of the Project;

Whereas, this City Council wishes to set a date for a public hearing on the Bonds and the Project Plan.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, as follows:

1. A public hearing upon the Bonds and the Project Plan for said Project shall be held at 7:00 o'clock, p.m., Michigan Time, on the 29th day of April, 1985, in the City Council Chambers, Tenth Floor, City Hall, in the city of Lansing, County of Ingham, Michigan. At such hearing, the City Council of the City of Lansing shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for the expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the Bonds and the Project Plan. The governing body shall make and preserve a record of the public hearing, including all data presented thereat.

2. The City Clerk is hereby directed to publish, post, and mail notice of such hearing, such notice to be substantially in the form attached hereto, in accordance with Section 17 of the Act.

3. The City Clerk is hereby directed to forward three (3) certified copies of this resolution to the Secretary of the Issuer.

4. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

Yeas: Councilmembers Adado, Benavides, Blair, Creamer, Lindemann, Schmidt and Worthington.

Nays: None.

Abstentions: None.

Resolution declared adopted.

Adopted by the following vote:

Unanimously.

STATE OF MICHIGAN)
COUNTY OF INGHAM) SS.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on the 8th day of April, 1985, and that said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

Rita M. Bauman
Lansing City Clerk

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, May 6, 1985 at 7:00 P.M. in the 10th Floor Council Chambers of City Council for Special Land Use—SLU-33-84,

east of Pennsylvania, south of Orchard St., and north of Lansing Eastern High School to be utilized as parking lot.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, May 6, 1985 at 7:00 P.M. in the 10th Floor Council Chambers of City Council for Special Land Use—SLU-4-85, for 1434 E. Jolly Rd. to be used for expanding commercial greenhouse operation by adding two new buildings.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, Memorial Day will be observed on Monday, May 27th, 1985; and

Whereas, City Hall will be closed for the Holiday;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially reschedules that week's Council meeting for Tuesday, May 28th, at 7:00 p.m.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing

That the following transfers be approved:

\$254.00 from Data Processing Misc. Expenses A/C 101-221-000-741
\$254.00 to Data Processing - Equipment A/C 101-221-000-977
 (to combine with residual equipment for the purchase of two-wheeled hydraulic lift cart.)

\$8,000.00 from Reserve for Contingency A/C 101-941-000-963
\$8,000.00 to Property Management - Unscheduled Maintenance A/C 101-265-002-931
 (Demolition of Seymour Street Water Gauging Station)

\$100.00 from General Fund Estimated Revenues A/C 101-000-000-160
\$100.00 to Fire-Citizens' Donations A/C 101-337-000-956
 (Citizen Donation by governing council of Friendship Manor for EMS program)

\$1,500.00 from General Fund - Estimated Revenues A/C 101-000-000-160
\$1,500.00 to Planning & Mun. Dev. - Adm. Program Promo. A/C 101-860-000-880
 (appropriate funds received for printing of an Energy Business Directory & Coupon Book)

\$23,000.00 from CDBG 9th Year Contingency A/C 255-941-900-969
\$23,300.00 to NDA #4 Demolition A/C 252-839-921-801
 (demolition of Council approved acquisitions in NDA #4 expanded area)

\$3,382.75 from CDBG 9th Year Contingency A/C 255-941-900-969

\$2,017.25 from CDBG 9th Year Contingency A/C 255-941-900-969.1
\$5,400.00 to CDBG NDA #4 Acquisition A/C 252-839-921-971
 (additional funding needed for Acquisition of properties in NDA #4 as approved by City Council on 7/9/84)

\$4,500.00 from CDNG 9th Year Contingency A/C 255-941-900-969
\$4,500.00 to CDBG NDA #4 Relocation A/C 252-841-923-844
 (relocation of persons displaced by approved acquisitions in NDA #4 expanded area)

\$1,100.00 from District Court Equipment A/C 760-136-000-977
\$1,100.00 to District Court - Misc. Expense A/C 760-136-000-741
 (increase in cos of dues for Dt. Judges Association & purchase of some items originally intended to be bought from Equipment Account)

\$6,000.00 from District Court - Salary A/C 760-136-000-702
\$6,000.00 to Dt. Court - Professional Services A/C 760-136-000-801
 (continuation of visiting Judge thru March 1,000. Continuation of labor contract negotiations \$5,000)

*Balance in the reserve for Contingency Fund after this transfer is \$191,336.28.

I hereby certify that this is a properly drawn and eligible transfer.

James W. Dowsett
 Finance Director

Approved:

James Blair
 Tony Benavides
 Ways and Means Committee

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan providing that the code of ordinances be amended by:

Repealing Chapter 10 containing sections 10-1 through 10-8; inclusive, for the purpose of updating code provisions concerning Cemeteries.

Was introduced by Councilman Worthington, read a first and second time by its title and referred to the Committee on General Services.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That a public hearing be scheduled for Monday, April 22, 1985 at 7:00 P.M. in the 10th Floor Chambers of City Council for ordinance adding a new Chapter 10 containing Section numbered 10-1 through 10-8, inclusive, for the purpose of updating code provisions concerning cemeteries.

Councilmember Blair left the meeting.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBERS ADADO, SCHMIDT & BENAVIDES—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter of thanks from the Arts Council Center of Greater Lansing, Inc. for the interest, support and assistance in the provision of State Equity Funds for cultural institutions in Lansing.

Referred to Committee on General Services and the Committee on Intergovernmental Relations and Human Services.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

Whereas, during adoption of FY 84-85 City Budget, this Council approved the re-establishment of a Buyer 28 position in the Purchasing Department, and required a monthly report from the department to document the amount of money saved through the Buyer's shopping for the best prices on City purchases; and

Whereas, the monthly reports have substantiated the value of the Buyer position, and are no longer required;

Now, Therefore, Be It Resolved the Lansing City Council hereby deletes the requirement for monthly reports from the Purchasing Department on the activities of the Buyer.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, Community Service and Referral Center is celebrating ten years of service to the greater Lansing area; and

Whereas, for the last decade this remarkable agency has provided a wide variety of critical services to the poor in our community without charge of any kind, and

Whereas, under the able direction of Lisa Cotter, CSRC has expanded its program to better address the needs of Lansing's poor, hungry, homeless and cold; and

Whereas, with invaluable assistance of many dedicated VISTA volunteers, help for the helpless in the form of the Energy Closet, the Energy Bank, the "Give-a-Kid-a-Coat" Campaign and many other programs has been a reality in Lansing; and

Whereas, the pervasive client-centered philosophy of CSRC has enabled the staff to continue to provide efficient, humane service to the poor without condescension or bureaucratic obfuscation over the years;

Now, Therefore, Be It Resolved the City Council of the City of Lansing hereby officially expresses its proud recognition and heartfelt gratitude to the Board and Staff of the Community Service and Referral Center for their outstanding contribution to this City.

Adopted by the following vote:

Unanimously.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That Councilman Belen be excused from the session.

Carried.

REMARKS BY THE MAYOR:

Crime report per Michigan Cities

Inservice meeting with Department Heads regarding Management Academy Program.

Trip planned to New York City to sell bonds in regard to the Potter Park Zoo.

REMARKS BY THE CITY COUNCIL:

Councilman Lindemann spoke regarding complaints of trash weeds, and old cars at 801-812-813 Banghart St. and 308 Leslie St. and request for written report on same.

Councilman Adado remarked about a depression in the street at 2700 blk. Waverly Road - Pot Hole report requested - and people putting trash bags out too early in week for pickup (enforcement needed).

Bob Lannen spoke regarding the Police Budget and study made earlier in the year.

Councilman Blair returned to the meeting.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:45 P.M.

RITA BAUMAN,
City Clerk

April 15, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

158

Proceedings, April 22, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

April 22, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Adado.

Pledge of allegiance.

By COUNCILMAN BENAVIDES—

That the council proceedings of March 25, 1985 be approved.

Carried.

HEARING ON PROPOSED CHANGE IN ZONING CLASSIFICATION

April 22, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983 said proposed amendment being as follows:

That the property described as:

Z-1-85 — 1000 block of East Main Street (south side) to be rezoned from "C" Residential District to "D-1" Professional Office District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code they had the privilege of speaking at this time.

Those speaking in opposition were:

Robert Hull, 425 S. Holmes St.
Jeff Crandall, 1109 Climax
Jame Baldus, 1101 Climax
Resident of 1002 Morgan St.
Bernie Miller, 1117 Climax
Rick Kroetsch, 1023 Climax
Dixie Pemberton, 924 Dakin St.

Robert Smith, representing the petitioner spoke in favor of rezoning.

Referred to the Committee on Physical Development

HEARING ON PROPOSED CHANGE IN ZONING CLASSIFICATION

April 22, 1985, at 7:00 o'clock being the time set as

the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983 said proposed amendment being as follows:

That the property described as:

Z-4-85 — 902, 908, 910 Oakland Avenue to be rezoned from "C" Residential District to "G-2" Wholesale District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code they had the privilege of speaking at this time.

No objections were made to the proposed amendment.

Referred to the Committee on Physical Development

HEARING ON PROPOSED CHANGE IN ZONING CLASSIFICATION

April 22, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983 said proposed amendment being as follows:

That the property described as:

Z-5-85 — 112 Hazel Street and 1018 Grand Avenue to be rezoned from "DM-4" Residential District to "J" Parking District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code they had the privilege of speaking at this time.

No objections were made to the proposed amendment.

Edward Ivey, 974 Whittier St., representing General Motors spoke in approval of rezoning.

Dudley Smith, Jr., representing General Motors, spoke in approval.

Referred to the Committee on Physical Development

PUBLIC HEARING

April 25, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed establishing of a Lansing Commercial Redevelopment District CRD-5-85-CBH & Associates for the North East Corner of East Jolly Rd. and Tranter Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed district revision they had the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development

PUBLIC HEARING

April 22, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed make-safe or demolish property located at 7000 South Cedar Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed make-safe or demolish property they had the privilege of speaking at this time.

Robert Servis, Sr., owner, spoke in opposition.

Referred to the Committee on General Services.

PUBLIC HEARING

April 22, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed adding of a new Chapter 10 to the Code of Ordinances, containing sections numbered 10-1 through 10-8, inclusive, for the purpose of updating code provisions concerning Cemeteries.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed addition of Chapter 10 to the Code they had the privilege of speaking at this time.

Sandra Shafley, 918 McKim St., spoke of need for the ordinance to address the problem of breakage of monuments in cemeteries due to workers negligence.

Dennis Churchill, Yunker Memorials, spoke regarding equipment used in Cemeteries being too large.

Referred to the Committee on General Services

PUBLIC HEARING

April 22, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed ordinance revising Sections 17-24, 17-29, 17-30, 17-33, 17-34, 17-35 and 17-36 for the purpose of updating code provisions concerning, licensing of Health, Massage, Baths and similar establishments.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance revision they had the privilege of speaking at this time.

Tina Kahn, representing the Massage Association, spoke in opposition to the ordinance.

Referred to the Committee on General Services.

By COUNCILMAN BENAVIDES—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting the Mayor's Proclamation honoring Farm Workers.

Carried.

PROCLAMATION

Whereas, farming is one of man's oldest and most important activities; and

Whereas, thousands of years ago, man learned how to use plants and animals to supply himself with food, clothing, and shelter. Year after year, farmers work with the soil, sunlight and water to raise crops and livestock;

and

Whereas, through the different seasons, farmers plow the ground, sow seeds, and harvest crops. They must fight floods, dry periods, diseases that can kill crops and animals, and insects that may damage their harvests. Today, just as in early times, the farmer's crops and livestock provide many necessities of life for people everywhere.

Now, Therefore, I, Terry J. McKane, Mayor of the City of Lansing, by the power vested in me, do hereby proclaim the week of April 29 - May 5, 1985 as:

"FARM WORKER WEEK"

in Lansing and urge all citizens of this community to join with me in applauding the accomplishments and advances made in farming and acknowledge the contributions made by these workers.

Given under my hand and the Seal of the City of Lansing this eighth day of April in the year of Our Lord one thousand nine hundred and eighty-five.

Terry J. McKane
Mayor

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Mayor's letter 2b (Homeowners Assistance/Sewer Water Flooding Problems) was pulled from the agenda.

George Sinadinos spoke regarding the Municipal Parking System

Helen LeBlanc, 2021 Cumberland Rd., representing the River Forest Neighborhood Association spoke regarding Communication #7.

John Boettjer, 2723 Arlington Road spoke regarding the proposed Recycling Ordinance.

Al LeBlanc, 2021 Cumberland Rd., spoke regarding noise in their neighborhood from shredders.

Janet Beckhorn, Executive Director of the Lansing Indian Center spoke of need for help in establishing a center.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

Public Drivers: Javier Cavazos, Paul A. Wokas, Daniel L. Singles, Richard F. Pratt, David W. Chamberlain, John R. Riverside, Charles D. Arniz, William L. Alexander, Martin D. Byrne III, Ernest R. Langdon, Edward H. Garvey, Elliot H. Myers.

Automobile Wrecker: All Auto Service, L&L Mobil Service Center, Kessler's Service

Peddler: Terry Erickson, Gunter Nartelski

Building Wrecker: Williams House Moving & Raising, Inc.

Sign Erector: Hager-Fox, Co., Amor Sign Studios, Inc., Arrow Sign Manufacturing, Inc.

Second Hand Dealer: Dicker & Deal Second Hand, Inc.

Auctioneer: Gaylor Schafer

Referred to the Committee on General Services

Atty. Charles Fleck submits notice of the Commence-

ment of Action for Complaint of Harold K. Tarno vs Edward Gregory Kluge and the City of Lansing.

Referred to the Mayor and City Attorney.

Claim filed by Joseph Pandey, Jr., 1710 Moores River Dr., for reimbursement of tire damaged due to chuckhole.

Referred to the Mayor and City Attorney.

Gary Andrews submits request for the Popular Arts Workshop to be considered as a non-profit community organization.

Resolution from Committee on General Services on agenda.

Request from Capt. Lester Morrall regarding access to church property from Pennsylvania Av.

Referred to the Mayor and Traffic Board.

Letter from Al Schaible regarding proposed Recycling Ordinance and enforcement of present Junk Dealer's Ordinance.

Referred to the Mayor and Committee on Public Properties and Safety.

River Forest Neighborhood Association submits request for accurate and timely notice of City Council committee meetings.

Received and placed on file.

George P. Sinadinos submits request to address City Council regarding the City's Municipal Parking System.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Mayor McKane spoke in regard to his letters 2c—Status of brush and wood pickup from private property as of 4/17/85, 2d—Conditions at 801, 812, 815 Banghart St. and 308 Leslie St., 2e—Public Service Operations, 2f—Reappointment to the Board of Fire Commissioners, 2g—Fair Housing Center/Funding, 2h—Status Report/Preparation of new Lansing Affirmative Action Plan, 2i—Industrial Access Rd., 2j—Museum Dr. improvements, 2n—Resignation from the Electrical Board, 2o—Pretreatment program approval, NPDES Permit, 2q—Complaint made by Beatrice Ivey.

REPORT OF COMMITTEE

The COMMITTEE ON GENERAL SERVICES—

Approves the following Licenses and Bonds:

Public Drivers: Javier Cavazos, Paul A. Wokas, Daniel L. Singles, Richard F. Pratt, David W. Chamberlain, John R. Riverside, Charles D. Arniz, William L. Alexander, Martin D. Byrne III, Ernest R. Langdon, Edward H. Garvey, Elliot H. Myers.

Automobile Wrecker: All Auto Service, L&L Mobil Service Center, Kessler's Service

Peddler: Terry Erickson, Gunter Nartelski

Building Wrecker: Williams House Moving & Raising, Inc.

Sign Erector: Hager-Fox, Co., Amor Sign Studios, Inc., Arrow Sign Manufacturing, Inc.

Second Hand Dealer: Dicker & Deal Second Hand, Inc.

Auctioneer: Gaylord Schafer

Signed:

SIDNEY P. WORTHINGTON,
CHARLES M. CREAMER,
ALFREDA SCHMIDT,
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

DATE: April 17, 1985

TO: Ms. Rita Bauman, City Clerk

FROM: Mary E. Sova, Secretary, Board of Water and Light

SUBJECT: Rules of Administrative Procedure, Board of Water and Light

In accordance with Article 5, Rule 5-105.8 of the City Charter, the attached Rules of Administrative Procedure adopted by the Board on March 5, 1985 have been approved as to form by the City Attorney, Mr. Stephen R. Sawyer, and are submitted to you for transmittal to the City Council.

Unless the Council directs otherwise, the amended Rules of Administrative Procedure shall take effect at the conclusion of the Council Meeting of April 22, 1985.

Received and placed on file.

DATE: 4/18/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Parks Director and Public Service Director

RE: Status of Brush & Wood Pickup from Private Property as of 4/17/85

The attached correspondence is submitted for your information.

CLEOPHUS BOYD, Jr.,
Executive Assistant

Received and placed on file.

DATE: 4/18/85

TO: Mayor Terry McKane

FROM: Douglas Finley, Parks and Recreation

SUBJECT: Status of Brush & Wood Pickup from Private Property as of 4-17-85

Brush and wood have not been picked up from the following streets as of 4-18-85. Note however that all areas except those listed in #6 will be completed by 4-23-85.

1. All streets in an area bounded by Holmes on the north, Jolly on the south, Stillwell on the west and Pleasant Grove on the east plus Karen, Lucie, Maybell, Anson, Sylvester and Connors Streets.
2. All streets in an area bounded by N. Logan on the east, Remy on the west, N. Grand River on the south and the railroad tracks on the north.
3. All streets in an area bounded by Cedar Street on the

west, Pennsylvania on the east, Miller on the south and Jolly on the north.

4. All streets in area bounded by Waverly on the west, Pleasant Grove on the east, Miller Road on the south and Jolly Road on the north.
5. Newark, Piccordy, Bliesner, Annetta, LaBelle, Kenbrook Grovenberg Road.
6. Ninety-two addresses recorded where brush was not picked up, but was there when the crew picked up the brush on the rest of the street. Most of the brush was not picked up because the Public Service crews did not have the proper loading equipment.

Estimated Completion Dates

Area 1 is not very large, but has a high concentration of brush. Public Service crews should complete on Tuesday, April 23rd.

Areas 2, 3, 4 and the streets listed under 5 should be completed on Tuesday, April 23rd.

The ninety-two addresses should be completed by Friday, April 26th. Some additional addresses may be reported to us between April 16 and April 23 in those areas being picked up by Public Service. These will be completed between April 26 and May 1.

As we previously reported we are not making a second pickup of brush that was not there the first time through. To do so now would prevent us from doing the spring tree planting.

DATE: 4/18/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Dept.

RE: Conditions at 801, 812, 815 Banghart/308 Leslie

The attached correspondence is submitted for your information.

CLEOPHUS BOYD, Jr.,
Executive Assistant

Received and placed on file.

DATE: 4/19/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Public Service Director

RE: Public Service Operations

The attached correspondence is submitted for your information.

CLEOPHUS BOYD, Jr.,
Executive Assistant

Received and placed on file.

April 18, 1985

City Council President Charles Creamer and Lansing City Councilmembers

Dear President Creamer and City Councilmembers:

I herewith submit to you for your consideration and confirmation the reappointment of Fire Commissioner Russel Sheathelm to the Board of Fire Commissioners.

The term will expire in June, 1989.

I trust you will give careful consideration to the reappointment of Russell Sheathelm to this important Board.

Best personal regards,

Sincerely,

TERRY J. MCKANE,
Mayor

By COUNCILMEMBER ADADO—

That we concur in the recommendation of the Mayor and appoint Russell Sheathelm to the Board of Fire Commissioners.

Carried.

April 17, 1985

Council President Charles Creamer and City Councilmembers

Dear President Creamer and Councilmembers:

Pursuant to advice previously provided by the Human Relations Director, Human Resources Director, and the Director of Planning and Municipal Development, my recommendation did not include funding for the Fair Housing Center.

In recognition of this month commemorating Fair Housing, I reconvened a meeting with these directors to assess the problems of Fair Housing in general and to re-examine their positions regarding funding for the Fair Housing Center. Their conclusions were:

1. While there was a survey conducted by the Civil Rights Commission leading to the establishment of the Fair Housing Center, that survey did not substantiate the problem or scope of the problem of housing discrimination in the City of Lansing.
2. The Human Relations Department's new Housing Ordinance and participation in a training conference will enable them to better identify housing discrimination and enforce the Ordinance. However, in the interim, better data needs to be acquired relating to the problem definition. Furthermore, the Human Resources Department, if it is to have strengthened enforcement policies, should not assume an advocacy role.
3. Subsequent to additional training and passage of the Ordinance, a federal grant application should be prepared to fund the Human Relations Department to properly operate the program required by the Ordinance.

The conclusion was that the Fair Housing Center should be funded to design a survey instrument and systematically conduct a random survey of the City's residents to better define the problem. While Lansing has a well-integrated community, there indeed may be discriminatory situations occurring. The scope of these practices needs to be determined.

Consequently, I am reconsidering my decision and recommending the inclusion of funding for the Fair Housing Center for \$7,500. Because the Human Resources Department has the expertise to negotiate, contract, monitor, and evaluate contractual agreements, I am directing the Human Resources Director to assume such responsibility. If the City Council concurs and appropriates the funds, this service will be part of the F.Y. '85-'86 budget. The results of the survey will be reviewed with, and provided to, the Human Relations Director. These three department heads and the Grants and Program Coordinator are being instructed to take the necessary steps to proceed to prepare the Grant application.

I urge your concurrence with these recommendations.

Sincerely,

TERRY J. McKANE,
Mayor

Referred to the Committee of the Whole.

April 18, 1985

Council President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and Councilmembers:

I wish to provide you with a status report on the preparation of a new Lansing Affirmative Action Plan. The consultant has done his work, and the recommended draft is now being circulated among various interested groups for their input and recommendations. These groups include the Mayor's Black Advisory Committee, Hispanic Advisory Committee, and Handicapper Advisory Committee, the Mayor's Ad Hoc Affirmative Action Advisory Committee, and the City's Human Relations Board.

Shortly, copies of the plan will also be presented to my department heads and appropriate City boards, especially the Police Board and Fire Board. When I have received recommendations from the above-mentioned individuals and agencies, I shall finalize my recommended Affirmative Action Plan and will present it to you for your consideration and action. That would be the appropriate time in which you would receive your copies.

Given the fact that sending copies to a few of our citizens may cause them inadvertently to put you in an embarrassing position, I am presenting your staff with a copy of the current draft which you may peruse at will. Obviously there is nothing confidential about it, but please keep in mind that it is a draft document subject to change prior to your receiving my recommendation. It is also an expensive document to duplicate because of its size.

So far, the comments have been quite positive and the recommended changes very reasonable. I trust that we can continue this process in an orderly sequence of events.

Best personal regards,

TERRY J. McKANE,
Mayor

Received and placed on file.

April 18, 1985

Council President Charles Creamer and
Lansing City Councilmembers

Re: Industrial Access Road

Dear President Creamer and Councilmembers:

Attached for your information are recommendations from the Traffic Board and the Planning Board regarding the Industrial Access Road. A report from the Public Service Board appeared on last week's agenda and this should now complete the Board reports and recommendations requested on this issue. I plan to have my recommendations prepared for you within the near future.

Thank you for your cooperation.

Sincerely,

TERRY J. McKANE,
Mayor

Referred to the Committee on Public Properties and

Safety.

April 18, 1985

Council President Charles Creamer and
Lansing City Councilmembers

Re: Museum Drive Improvements

Dear President Creamer and Councilmembers:

Please find attached a recommendation from the Traffic Board and a status report from the Planning Board regarding Museum Drive Improvements. This should complete the Board recommendations requested and I plan to make my recommendations to you on this issue within the near future.

Thank you for your cooperation.

Sincerely,

TERRY J. McKANE,
Mayor

Referred to the Committee on Public Properties and
Safety.

DATE: 4/18/85

TO: Council President Charles Creamer and City
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Traffic Board

RE: West South Street: Parking Meter Time Limit

The attached report is submitted with my concurrence
for your action.

TERRY J. McKANE,
Mayor

Referred to the Committee on Public Properties and
Safety.

DATE: 4/18/85

TO: Council President Charles Creamer and City
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Traffic Board

RE: Mersey Lane and Sandhurst Drive: Traffic
Control Request

The attached report is submitted with my concurrence
for your action.

TERRY J. McKANE,
Mayor

Referred to the Committee on Public Properties and
Safety.

DATE: 4/18/85

TO: Council President Charles Creamer and City
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Lansing Traffic Board

RE: Traffic Code Revision: Section 31-188 Prohibited
Turns on Steady Red Signal, Schedule XI

The attached report is submitted with my concurrence
for your action.

TERRY J. McKANE,

Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 4/17/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Keith B. Norris

RE: Resignation from Electrical Board

The attached correspondence is submitted for your information.

TERRY J. MCKANE,
Mayor

Received and placed on file.

DATE: 4/15/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Ronald O. Skoog, Director Department of Natural Resources, State of Michigan

RE: Pretreatment Program Approval, NPDES Permit No. MI 0023400

The attached correspondence is submitted for your information.

TERRY J. MCKANE,
Mayor

Received and placed on file.

DATE: 4/15/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the City Attorney's Office

RE: Recent Court of Appeals Decision Regarding Valuation of Condominium Units

The attached correspondence is submitted for your information.

TERRY J. MCKANE,
Mayor

Received and placed on file.

DATE: 4/15/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Police Chief Richard Gleason

RE: Complaint made by Beatrice Ivey

The attached correspondence is submitted for your information.

TERRY J. MCKANE,
Mayor

Received and placed on file.

DATE: 4/16/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Purchasing Director

RE: Sole Source Purchase—Radio Master Fire Alarm Boxes

The attached correspondence is submitted for your information.

TERRY J. MCKANE,
Mayor

Received and placed on file.

DATE: 4/18/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development Dept.

RE: ACT-28-84, Riverpointe Property

The attached report is submitted with my concurrence for your action.

CLEOPHUS BOYD, Jr.,
Executive Assistant

Referred to the Committee on Public Properties and Safety.

DATE: 4/18/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development Dept.

RE: Commercial Redevelopment District Application Review, CRD-5-85, NE Corner E. Jolly Rd./Tranter St.

The attached report is submitted with my concurrence for your action.

CLEOPHUS BOYD, Jr.,
Executive Assistant

Referred to the Committee on Economic Development.

DATE: 4/18/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development Dept.

RE: Requests for Public Hearings: 630 Park Place, 1211 Leslie, 312 South Pennsylvania

The attached report is submitted with my concurrence for your action.

CLEOPHUS BOYD, Jr.,
Executive Assistant

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the Mayor and the public hearings be set for May 20, 1985 for the

property located at 630 Park Place, 1211 Leslie and 312 S. Pennsylvania.

Carried.

DATE: 4/18/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development Dept.

RE: Z-3-85, 406 East Holmes Rd.

The attached report is submitted with my concurrence for your action.

CLEOPHUS BOYD, Jr.,
Executive Assistant

Referred to the Committee on Physical Development.

DATE: 4/18/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development Dept.

RE: Z-6-85, 401 Lincoln Ave./402 Rockford Rd.

The attached report is submitted with my concurrence for your action.

CLEOPHUS BOYD, Jr.,
Executive Assistant

Referred to the Committee on Physical Development.

DATE: 4/18/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development Dept.

RE: Z-7-85, North West Corner Edgewood Blvd./South Cedar St.

The attached report is submitted with my concurrence for your action.

CLEOPHUS BOYD, Jr.,
Executive Assistant

Referred to the Committee on Physical Development.

DATE: 4/18/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development Dept.

RE: Z-8-85, 709 South Pennsylvania Ave. (see also LS-3-85)

The attached report is submitted with my concurrence for your action.

CLEOPHUS BOYD, Jr.,
Executive Assistant

Referred to the Committee on Physical Development.

DATE: 4/18/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development Dept.

RE: Z-10-85, 117 N. Fairview and 116 N. Clemens

The attached report is submitted with my concurrence for your action.

CLEOPHUS BOYD, Jr.,
Executive Assistant

Referred to the Committee on Physical Development.

DATE: 4/18/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development Dept.

RE: Z-11-85, 1201 W. Jolly Rd.

The attached report is submitted with my concurrence for your action.

CLEOPHUS BOYD, Jr.,
Executive Assistant

Referred to the Committee on Physical Development.

DATE: 4/18/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development Dept.

RE: Z-12-85, 1218 N. Washington Ave.

The attached report is submitted with my concurrence for your action.

CLEOPHUS BOYD, Jr.,
Executive Assistant

Referred to the Committee on Physical Development.

DATE: 4/18/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development Dept.

RE: LS-3-85, 1008 Heald Place/709 S. Pennsylvania Ave. (See also Z-8-85)

The attached report is submitted with my concurrence for your action.

CLEOPHUS BOYD, Jr.,
Executive Assistant

Referred to the Committee on Physical Development.

DATE: 4/18/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development Dept.

RE: Trash Removal Assessment—U-28 July 1985 Tax Roll \$2,468.85

The attached report is submitted with my concurrence for your action.

CLEOPHUS BOYD, Jr.,
Executive Assistant

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the Mayor and the Trash Removal Assessment in the amount of \$2,468.85 be placed on the July 1985 Tax Roll.

Carried.

DATE: 4/18/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development Dept.

RE: Proposed Industrial Access Road in North Part of Lansing.

The attached report is submitted with my concurrence for your action.

CLEOPHUS BOYD, Jr.,
Executive Assistant

Referred to the Committee on Public Properties and Safety.

DATE: 4/18/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Finance Director

RE: Transfer of funds.

The attached report is submitted with my concurrence for your action.

CLEOPHUS BOYD, Jr.,
Executive Assistant

Referred to the Committee on Ways and Means.

RESOLUTIONS

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the City desires to improve the enforcement of existing provisions of its housing and zoning codes; and

Whereas, the Mayor and the Code Enforcement Task Force have recommended that Housing Inspectors within the Building Safety Division and Zoning Inspectors within the Planning Division of the Planning and Municipal Development Department be consolidated into a single Code Compliance Unit within the Building Safety Division, to accomplish improved enforcement; and

Whereas, direct supervision of the new Code Compliance Unit is needed to assure increased productivity and accountability in code enforcement activities;

Now, Therefore, Be It Resolved, that the position of Chief Code Compliance Officer, with appropriate classification to be determined through the job classification process, is created within the Building

Safety Division of the Planning and Municipal Development Department; and

Be It Further Resolved, that the position of Deputy Director of the Building Safety Division of the Planning and Municipal Development Department, which is currently vacant, is hereby deleted from the Department's table of organization.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Bureau of State Lottery of the State of Michigan requires non-profit status acknowledgement from the local governing body prior to issuance of a license to hold a charitable raffle, and

Whereas, the Popular Arts Workshop has been organized and operating in the Lansing area as a non-profit, charitable corporation dedicated to the promotion and creation of artworks in the public environment since 1976,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially recognizes The Popular Arts Workshop as a non-profit community organization operating in Lansing for a period of more than five years with all the requisite State and Federal non-profit designations.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the annual budget process requires input from the citizens of Lansing, and

Whereas, a copy of the budget is on file with the City Clerk and available for review, and

Whereas, after adjustments for additions and deletions and following the Board of Review, the Assessor indicates a probable .03 mills will have to be levied separately, pursuant to Truth in Taxation Public Act 5 of 1982, if the tax rate is to remain at 10.25 mills, and

Whereas, separate public hearings on the City's FY 85-86 budget, the Community Development Block Grant allocation and the Capital Improvement budget will be held on the same evening.

Now, Therefore, Be It Resolved, that the City of Lansing proposes to establish its fiscal 1986 operating levy at .03 mills above the base rate established under Public Act 5 of 1982, to a level equal to the fiscal 1985 City of Lansing operating tax levy.

Be It Further Resolved, that the public hearing in regard to restoring the current millage rate be set for Monday, May 6, 1985 in the 10th floor City Council Chambers at 7:00 p.m.; and

Be It Further Resolved, that the public hearing for the Lansing's 1985-86 budget, including Federal Revenue Sharing, will be held on Monday, May 6, 1985, in the 10th floor City Council Chambers at 7:00 p.m.; and

Be It Further Resolved, that the public hearing for the 11th year Community Development Block Grant allocation, including re-programmed funds from previous years, will also be held on Monday, May 6, in the 10th floor City Council Chambers at 7:00 p.m., and

Be It Finally Resolved, that the public hearing for the City of Lansing's 1985-86 Capital Improvements budget

will be held on Monday, May 6, in the City Council Chambers at 7:00 p.m.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, Rule #48 (Judicial) of the 1981 version of the Rules of Procedure of the Lansing City Council was inadvertently excluded in the 1982 rewrite of same; and

Whereas, the Council desires to amend its Rules to include procedure for judicial compensation;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially amends its rules of procedure by adding Rule 48 on page 14 which shall read as follows:

Rule 48. In the event the Lansing City Council is requested or desires to appropriate money for the purpose of increasing the salary level of the Judges of the 54-A District court: Before action is taken the President of the City Council shall appoint an ad hoc citizens advisory committee of five members which shall examine the Judges' salaries and any proposals to raise them and recommend to City Council what, if any, increase is appropriate. City Council shall consider the recommendation of the committee in determining what, if any, increase in the Judges' salaries should be granted.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing and the Teamster, Local 580 Clerical, Technical and Professional bargaining unit, have negotiated an agreement through the collective bargaining process, and

Whereas, the term of this agreement is March 25, 1985 to June 30, 1987, and

Whereas, the Teamsters, Local 580 Clerical, Technical, and Professional bargaining unit has ratified this agreement and the Mayor and City Council have reviewed it and concur subject to agreement on the specific contract language.

Now, Therefore, Be It Resolved, that the City Council hereby ratifies this contract subject to agreement on the specific contract language by the City and Union's legal counsel.

Be It Further Resolved, that the Council hereby authorizes transfers to be executed administratively from the general and non-general fund fringe benefit accounts to the appropriate salary, overtime and benefit line items.

Be It Finally Resolved, such transfers also be authorized to be executed administratively for the Teamster supervisory contract approved by City Council on March 11, 1985.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$8,180.01 from General Fund Estimated Revenues

A/C 101-000-000-160

\$8,180.01 to Forfeitures Act 251 A/C 101-305-016-969
(Act 251 Forfeiture to Tri-County Metro Squad)

\$3,500.00 from Fire Admin. Holiday Pay A/C 101-337-000-710
\$3,500.00 to Fire Admin.—Supplies A/C 101-337-000-740
(Costs for the remainder of the year will be higher than estimated at mid years)

Recommended by:

JAN LAZAR,
Budget Director

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director

Approved:

JAMES D. BLAIR,
TONY BENAVIDES,
Ways and Means Committee

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinances of the City of Lansing, Michigan providing that the Code of Ordinances be amended by:

Revising the district maps adopted by Section 36-6 of the Code of Ordinances and to change the zoning classification for the rezoning petitions:

- a. Z-3-85—406 E. Holmes Rd. to be rezoned from "A" Single Family District to "F" Commercial District filed by North Point Plaza, Inc.
- b. Z-6-85—402 Rockford Rd./401 Lincoln St. to be rezoned from "A" Residential District to "J" Parking District filed by George Coscarelli.
- c. Z-7-85—Northwest corner of Cedar St. and Edgewood Blvd. to be rezoned from "DM-1" Multiple District to "F" Commercial District filed by Fox & Assoc., Inc.
- d. Z-8-85—Vacant lot east of 709 S. Pennsylvania Ave. to be rezoned from "C" Residential District to "F" Commercial District filed by Clare and Ann Simon.
- e. Z-10-85—117 N. Fairview, 116 N. Clemens and a portion of public alley adjacent to 116 N. Clemens to be rezoned from "B" Residential to "J" Parking District filed by City of Lansing.
- f. Z-11-85—1201 W. Jolly Rd. to be rezoned from "A" Residential District to "F" Commercial District filed by Mitchel and Michael Skory.
- g. Z-12-85—1218 N. Washington St. to be rezoned from "C" Residential to "J" Parking District filed by Estes Furniture Co.

was introduced by Councilman Belen, read a first and second time by their titles and referred to the Committee on Physical Development.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing:

That a public hearing be set for May 13, 1985 at 7:00 P.M. in the City Council Chambers, 10th Floor, City Hall for the following rezoning ordinances:

- a. Z-3-85—406 E. Holmes Rd. to be rezoned from "A" Single Family District to "F" Commercial District filed by North Point Plaza, Inc.

- b. Z-6-85—402 Rockford Rd./401 Lincoln St. to be rezoned from "A" Residential District to "J" Parking District filed by George Coscarelli.
- c. Z-7-85—Northwest corner of Cedar St. and Edgewood Blvd. to be rezoned from "DM-1" Multiple District to "F" Commercial District filed by Fox & Assoc., Inc.
- d. Z-8-85—Vacant lot east of 709 S. Pennsylvania Ave. to be rezoned from "C" Residential District to "F" Commercial District filed by Clare and Ann Simon.
- e. Z-10-85—117 N. Fairview, 116 N. Clemens and a portion of public alley adjacent to 116 N. Clemens to be rezoned from "B" Residential to "J" Parking District filed by City of Lansing.
- f. Z-11-85—1201 W. Jolly Rd. to be rezoned from "A" Residential District to "F" Commercial District filed by Mitchel and Michael Skory.
- g. Z-12-85—1218 N. Washington St. to be rezoned from "C" Residential to "J" Parking District filed by Estes Furniture Co.

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinances of the City of Lansing, Michigan providing that the Code of Ordinances be amended by:

Providing that a new Chapter 17C be added to the Code for the purpose of prohibiting discrimination in real estate transactions involving housing accommodations on the basis of race, color, sex, marital status, age, national origin, religion, ancestry, political orientation, handicap or use of adaptive devices or aids in the City of Lansing and provide enforcement and penalties for violations thereof.

Providing for the repeal of Chapter 22 containing sections numbered 22-1 through 22-61 for the purpose of updating the offenses chapter of the Code. Amend by adding a new Chapter 22 containing sections numbered 22-1 through 22-29 for the purpose of updating code provisions concerning Offenses.

Revise Article II of Chapter 2 by amending Sections 2-25, 2-30 and 2-33 for the purpose of updating the Purchasing Ordinance.

Providing that Chapter 22A be amended by revising Section 22A-12 for the purpose of updating the violation section of the ordinance regulating Outdoor Gatherings.

Providing for the repeal of Chapter 24A, containing sections numbered 24A-1 through 24A-9, inclusive, for the purpose of updating the Downtown Mall and Environs ordinance.

Adding a new Chapter 10 containing Sections numbered 10-1 through 10-8 inclusive, for the purpose of updating code provisions concerning cemeteries. (Introduced on April 15, 1985).

was introduced by Councilman Worthington, read a first and second time by their titles and referred to the Committee on General Services.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That a public hearing be set for April 29, 1985 at 7:00 P.M. in the City Council Chambers, 10th Floor, City Hall for the ordinances re:

Providing that a new Chapter 17C be added to the Code for the purpose of prohibiting discrimination in real estate transactions involving housing accommodations on the basis of race, color, sex, marital status, age,

national origin, religion, ancestry, political orientation, handicap or use of adaptive devices or aids in the City of Lansing and provide enforcement and penalties for violations thereof.

Amend by adding a new Chapter 22 containing sections numbered 22-1 through 22-29 for the purpose of updating code provisions concerning Offenses.

Revise Article II of Chapter 2 by amending Sections 2-25, 2-30 and 2-33 for the purpose of updating the Purchasing Ordinance.

Providing that Chapter 22A be amended by revising Section 22A-12 for the purpose of updating the violation section of the ordinance regulating Outdoor Gatherings.

Adopted by the following vote:

Unanimously.

By COUNCILMEN SCHMIDT, LINDEMANN, BELEN—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter received from the Judicial Compensation Commission regarding salary increases for the District Court Judges.

Referred to the Committee of the Whole.

Letter from Richard H. Sandler, M.D., regarding replacement of stop sign at the SW corner of S. Holmes St. and Hickory St.

Referred to the Mayor and Committee on Public Properties and Safety.

Letter from Bradford L. Pryce, Dept. of Planning, Housing and Community Development of East Lansing, Michigan explaining the Non-Traditional Code Enforcement program that the Tenants Resource Center operated under contract with the City of East Lansing.

Referred to the Mayor and Committee on Human Services and Intergovernmental Relations.

Letter from the Eastside Neighborhood Organization regarding code task force recommendations.

Referred to the Code Compliance Support, Mayor and Committee on General Services.

Letter from Katie Donovan, WFMK, regarding the event of "A Family Reunion" at Riverfront Park with proceeds to St. Vincents Home for Children.

Referred to the Mayor.

Resolution Setting Hearing Date

(Michigan Biotechnology Institute Project)

Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held at 7:00 p.m., Michigan Time, on April 22, 1985, at which the following members were present:

Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, and Worthington

and the following were absent:

None.

The following preamble and resolution were offered by Councilmember Adado and supported by Councilmember Worthington:

Whereas, this City Council has heretofore approved a Project Area and established a Project District Area for the Michigan Biotechnology Institute Project (the "Project") of the Economic Development Corporation of the City of Lansing (the "Issuer");

Whereas, this Council has received a Project Plan for said Project, which Project Plan contains the information required by Section 8 of Act No. 338 of the Public acts of 1974, as amended (the "Act"), including information relating to the proposed issuance and sale by the issuer of its limited obligation economic development revenue bonds to finance a portion of the costs of the Project;

Whereas, this City Council wished to set a date for a public hearing on the Bonds and the Project Plan.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, as follows:

1. A public hearing upon the Bonds and the Project Plan for said Project shall be held at 7:00 p.m., Michigan Time, on the 13th day of May, 1985, in the City Council Chambers, 10th Floor, City Hall, Lansing, Michigan. At such hearing, the City Council of the City of Lansing shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for the expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the Bonds and the Project Plan. The governing body shall make and preserve a record of the public hearing, including all data presented thereat.

2. The City Clerk is hereby requested to publish, post, and mail notice of such hearing, such notice to be substantially in the form attached hereto, in accordance with Section 17 of the Act.

3. The City is hereby directed to forward three (3) certified copies of this resolution to the Secretary of the Issuer.

4. This resolution repeals the previously scheduled public hearing for April 29, 1985.

5. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

Yeas: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt and Worthington

Nays: None

Abstentions: None

Resolution declared adopted.

State of Michigan)
County of Ingham) ss.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 22nd day of April, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

Rita M. Bauman
City Clerk

RESOLUTION SETTING HEARING DATE

(Michigan Theatre Renovation Project
a/k/a/ Atrium Office Partners Project)

Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held

at 7:00 p.m., Michigan Time, on April 22, 1985, at which the following members were present:

Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt and Worthington

and the following were absent:

None

The following preamble and resolution were offered by Councilmember Adado and supported by Councilmember Worthington:

Whereas, this City Council has heretofore approved a Project Area and established a Project District Area for the Michigan Theatre Renovation Project a/k/a/ Atrium Office Partners Project (the "Project") of the Economic Development Corporation of the City of Lansing (the "Issuer");

Whereas, this Council has received a Project Plan for said Project, which Project Plan contains the information required by Section 8 of Act No. 338 of the Public acts of 1974, as amended (the "Act"), including information relating to the proposed issuance and sale by the issuer of its limited obligation economic development revenue bonds to finance a portion of the costs of the Project;

Whereas, this City Council wished to set a date for a public hearing on the Bonds and the Project Plan.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, as follows:

1. A public hearing upon the Bonds and the Project Plan for said Project shall be held at 7:00 p.m., Michigan Time, on the 13th day of May, 1985, in the City Council Chambers, 10th Floor, City Hall, Lansing, Michigan. At such hearing, the City Council of the City of Lansing shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for the expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the Bonds and the Project Plan. The governing body shall make and preserve a record of the public hearing, including all data presented thereat.

2. The City Clerk is hereby requested to publish, post, and mail notice of such hearing, such notice to be substantially in the form attached hereto, in accordance with Section 17 of the Act.

3. The City is hereby directed to forward three (3) certified copies of this resolution to the Secretary of the Issuer.

4. This resolution repeals the previously scheduled public hearing for April 29, 1985.

5. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

Yeas: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt and Worthington

Nays: None

Abstentions: None

Resolution declared adopted.

State of Michigan)
County of Ingham) ss.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 22nd day of April, 1985, and that the said minutes are on file in the office of the City

Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

Rita M. Bauman
City Clerk

RESOLUTION SETTING HEARING DATE

(100 Block Hotel Project)

Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held at 7:00 p.m., Michigan Time, on April 22, 1985, at which the following members were present:

Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt and Worthington

and the following were absent:

None

The following preamble and resolution were offered by Councilmember Adado and supported by Councilmember Worthington:

Whereas, this City Council has heretofore approved a Project Area and established a Project District Area for the 100 Block Hotel Project (the "Project") of the Economic Development Corporation of the City of Lansing (the "Issuer");

Whereas, Section 17 of Act No. 338 of the Public Acts of 1974, as amended, (the "Act"), and Temporary Treasury Regulations Section 5f.103-2 require that in order for bonds to be issued by the Issuer to assist in the financing of the Project, this City Council must conduct a public hearing, after notice, and approve the issuance of bonds, all as provided in said Act and Temporary Regulations; and

Whereas, this City Council wishes to set a date for a public hearing on and Amended Project Plan for the Project to be prepared by the Issuer.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, as follows:

1. A public hearing upon the issuance of bonds in the aggregate face amount not to exceed \$10,000,000 and the Amended Project Plan for said project shall be held at 7:00 p.m., Michigan Time, on the 6th day of May, 1985, in the City Council Chambers, 10th Floor, City Hall, Lansing, Michigan. At such hearing, the City Council of the City of Lansing shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for the expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the Bonds and the Project Plan. The governing body shall make and preserve a record of the public hearing, including all data presented thereat.

2. The City Clerk is hereby requested to publish, post, and mail notice of such hearing, such notice to be substantially in the form attached hereto, in accordance with Section 17 of the Act and Temporary Treasury Regulations Section 5f.103-2.

3. The City is hereby directed to forward three (3) certified copies of this resolution to the Secretary of the Issuer.

4. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

Yeas: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt and Worthington

Nays: None

Abstentions: None

Resolution declared adopted.

State of Michigan)
County of Ingham) ss.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 22nd day of April, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

Rita M. Bauman
City Clerk

ORDINANCES

By COUNCILMAN BELEN—

The Committee reported that it has considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by: providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the code for property located at Z-5-85 — 112 Hazel Street and 1018 Grand Avenue to be rezoned from "DM-4" Residential District to "J" Parking District.

and recommended that we move to the passage of ordinances.

Carried.

BY COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing, that the ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the code for property located at Z-5-85 — 112 Hazel Street and 1018 Grand Avenue to be rezoned from "DM-4" Residential District to "J" Parking District.

be placed on order of immediate passage.

BY COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing, that the ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the code for property located at Z-5-85 — 112 Hazel Street and 1018 Grand Avenue to be rezoned from "DM-4" Residential District to "J" Parking District.

be now passed.

Councilmember Blair left the meeting

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2152

An ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the District Maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing Ordains:

Section 1. That the district maps adopted and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-5-85, 112 Hazel Street and 1018 Grand Avenue

Parcel Numbers: 3301-21-252-100-8 and 3301-21-252-075-9

Legal Description: Lots 3 and 6, Block 199, Original Plat, City of Lansing, Ingham County, Michigan, subject to easements, conditions and restrictions of record.

From "DM-4" Residential District to "J" Parking District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN SCHMIDT—

Resolved by the City Council of the City of Lansing:

This ordinance being necessary for the immediate preservation for the public peace, health or safety shall take effect upon its passage. Carried.

REMARKS BY THE MAYOR:

Announced meeting at 7:00 P.M. Tuesday in City Council Chambers for prostitution problem.

Secretary Week recognition on Wed. at noon, 10th Floor, City Hall.

Announced the appointment of a new City Treasurer - Brian Kuchik

REMARKS BY THE CITY COUNCIL:

Councilmember Belen announced this was National Volunteer Week.

Councilmember Adado asked questions concerning the letter of Commitment from the Churchill Co.

Councilmember Blair asked about the situation regarding the telephone survey being conducted by Network Technologies Corporation in City Hall.

Councilmember Creamer spoke regarding broken glass in the Kingley Center play area and the Hillsdale Open Area.

Jay Whitney, 901 Bates St., spoke regarding the Industrial Road in North Lansing.

Sandra Shafley, 918 McKim, spoke regarding next Park Board Meeting.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:30 P.M.

RITA BAUMAN,
City Clerk

February 4, 1985

Lansing, Michigan

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, April 29, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

April 29, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Belen.

Pledge of allegiance.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Councilmember Worthington presented Kenneth Bloomquist, Chairman of the School of Music, Michigan State University who in turn introduced a string quartet from Xian, Republic of China. The quartet performed several musical numbers for the enjoyment of City Council and the listening audience.

PUBLIC HEARING

April 29, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed new chapter 17C be added to the Code for the purpose of prohibiting discrimination in real estate transactions involving housing accommodations on the basis of race, color, sex, marital status, age, national origin, religion, ancestry, political orientation, handicap or use of adaptive devices or aids in the City of Lansing and provide enforcement and penalties for violations thereof.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed ordinance they will have the privilege of speaking at this time.

Robert Lundy, 2304 Marion Ave.

Matt Gatson, 712 N. Francis.

Kim Weaver, 1135 Michigan Avenue, East Lansing, MI.

Ellen Moore, 1620 Osband Ave.

Referred to the Committee on General Services.

PUBLIC HEARING

April 29, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed ordinance to revise Article II of Chapter 2 by amending Sections 2-25, 2-30 and 2-33 for the purpose of updating the Purchasing Ordinance.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed ordinance revision they will have the privilege of speaking at this time.

No person spoke.

Referred to the Committee on General Services.

PUBLIC HEARING

April 29, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Ordinance to amend by adding a new Chapter 22 containing sections numbered 22-1 through 22-29 for the purpose of updating code provisions concerning Offenses.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed ordinance they will have the privilege of speaking at this time.

No person spoke.

Referred to the Committee on General Services.

PUBLIC HEARING

April 29, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed ordinance providing that Chapter 22A be amended by revising Section 22A-12 for the purpose of updating the violation section of the ordinance regulating Outdoor Gatherings.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed ordinance amendment they will have the privilege of speaking at this time.

No person spoke.

Referred to the Committee on General Services.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Myrna Murray, Coordinator of American Family Life Assurance, spoke regarding communication No. 8 on the agenda—Supplemental Cancer and Hospital

Intensive Care Program offered through payroll deduction.

Councilmember Benavides moved to extend the time for Ms. Murray to speak an extra 3 minutes:

Adopted by the following vote:

Yeas: Councilmembers Adado, Belen, Benavides, Lindemann, Schmidt—5.

Nays: Councilmembers Blair, Creamer, Worthington—3.

Ms. Murray finished speaking.

Gary Andrews, 560 Brooklan, spoke regarding Mayor's letter 4e on the City Streets Gallery proposal.

Carl Eck spoke regarding communication #9—speeding and reckless driving in the 500 to 800 block of Armstrong Rd.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

Sign Erector—J.D. Wisner Electric and Central Advertising Co.

Auctioneer—Tom Nagy

Public Driver—Victor S. Steinman, David L. DeVries, Brian P. Ferguson, Denton L. Conley, George T. Yeager, Olin E. Sproat.

Automobile Wrecker Service—Shroyer's Central Towing, Inc., Fred Phifer.

Theatre—Cinema X of Lansing, Inc., New Art Theatre.

Cabaret—Quality Inn, Unicorn Tavern, Inc.

Referred to the Committee on General Services.

Claim filed by J.B. Burns, 1604 Holly Way, for damages to a door at 817 Loa St. property by the Police Dept.

Referred to the Mayor and City Attorney.

Petitions filed for:

- Construction of sidewalk on Dunlap Street from Viking to Ingham St.
- Construction of storm sewer and curb and gutter on Dunlap Street between Viking and Ingham St.
- Construction of curb and gutter and any necessary catchbasins on Coulson Ct. from Miller Rd. to the south line of Lancen Village No. 3.
- Construction of sanitary sewer on E. Sheridan Rd. from end of existing sewer west approximately 400 ft. to serve lot #29 of Woodlawn Subdivision (710 E. Sheridan Rd.).

Referred to the Mayor and Public Service Dept.

Donna M. Shushtari, 901 Banghart St., submits request for blacktopping Eighth Street.

Referred to the Mayor and Public Service Dept.

John B. Elsinga, Superintendent Delhi Twp. Wastewater Treatment Plant, submits request for consideration of proposed connection of two office buildings into the sanitary sewer forcemain along Pine Tree Rd.

Referred to the Mayor, Public Service Board and Committee on Physical Development.

Letter of invitation from First Baptist Church, 227 N. Capitol, to attend the installation of the 25th pastor on May 5, 1985.

Received and placed on file.

Capital Area Transportation Authority submits Amended Articles of Incorporation.

Referred to the Committee of the Whole.

Request from Myrna Murray, Coordinator of American Family Life Assurance, for permission to speak to City Council in regard to Supplemental Cancer and Hospital Intensive Care program offered through payroll deduction.

Received and placed on file.

Letter from Carl & Cherie Eck, 743 Armstrong Road regarding speeding and reckless driving in the 500 to 800 block of Armstrong Rd. (between Cedar & Pennsylvania).

Referred to the Mayor and Traffic Board.

Michigan Department of Natural Resources submits letter approving extension of permit No. 82-13-164 for Snell Environmental Group, Inc.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Howard McCaffery, Public Service Director, representing the Mayor, introduced James Dowsett, Finance Director, who presented Brian Kuchik, newly appointed City Treasurer for the City of Lansing.

REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

Sign Erector—J.D. Wisner Electric and Central Advertising Co.

Auctioneer—Tom Nagy

Public Driver—Victor S. Steinman, David L. DeVries, Brian P. Ferguson, Denton L. Conley, George T. Yeager, Olin E. Sproat.

Automobile Wrecker Service—Shroyer's Central Towing, Inc., Fred Phifer.

Theatre—Cinema X of Lansing, Inc., New Art Theatre.

Cabaret—Quality Inn, Unicorn Tavern, Inc.

Signed:

Sidney P. Worthington,
Charles M. Creamer,
Alfreda Schmidt,
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT—

To whom was referred the Small Business Assistance Program—CDBG

Reports as follows: The Committee reviewed the

Small Business Assistance Program, concurred in the concept, and gave approval to continue to implement the program. The vote was 2-0.

Lucille Belen
Charles Creamer
Tony Benavides
Committee on Physical Development

By COUNCILMAN BELEN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT—

To whom was referred the rezoning petition: Z-4-85 — 902, 908 and 910 East Oakland Avenue to be rezoned from "C" Residential District to "G-2" Wholesale District.

Reports as follows: that said rezoning be approved.

Lucille Belen
Charles Creamer
Tony Benavides
Committee on Physical Development

By COUNCILMAN BELEN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

To whom was referred the Ordinance adding a new Article III to Chapter 21 containing sections numbered 21-25 through 21-28 for the purpose of regulating non-fire alarm systems in the City of Lansing.

Reports as follows: That said Ordinance be approved.

James Blair
Louis Adado
Committee on Public Properties & Safety

By COUNCILMAN LINDEMANN—

That the report of the committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

To whom was referred the Ordinance revising Chapter 24A by amending 24A-6 for the purpose of creating a board in Uniformity with 1984 PA 260.

Reports as follows: That said Ordinance be approved.

James Blair
Louis Adado
Committee on Public Properties & Safety

By COUNCILMAN LINDEMANN—

That the report of the committee be adopted.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

To whom was referred the Special Noise Ordinance Committee

Reports as follows: The Special Noise Ordinance Committee which was created in March of 1983 to study and recommend to the Council a proposed ordinance on noise control (residential, commercial and industrial) within the corporate limits, has been dead-locked for many months. The Committee on Public Properties & Safety hereby officially disbands the Special Noise Ordinance Committee and assumes responsibility for all subject matter relative to the abatement of noise in the City.

James Blair
Louis Adado
Committee on Public Properties & Safety

By COUNCILMAN LINDEMANN—

That the report of the committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

To whom was referred the Museum Drive Improvements.

Reports as follows: The committee requests a specific recommendation from the Administration on the Museum Drive Improvements for its next Committee meeting on Wednesday, May 1st at 12:00 Noon.

James Blair
Louis Adado
Committee on Public Properties & Safety

By COUNCILMAN LINDEMANN—

That the report of the committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

To whom was referred the Ordinance Review - Civic Center Advisory Board

Reports as follows: After careful review, the Committee on Public Properties & Safety refers this matter back to the Committee on General Services with the recommendation that the Civic Center Advisory Board be completely phased out and terminated as an advisory board of the City of Lansing two years from the effective date of the newly recodified code of ordinances.

James Blair
Louis Adado
Committee on Public Properties & Safety

By COUNCILMAN LINDEMANN—

That the report of the committee be adopted.

By COUNCILMAN BLAIR—

That this report of Committee be amended by deleting the rest of the sentence after the words "City of Lansing" and ending the report.

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

To whom was referred the Cost Information on the re-establishment of the Downtown Development Authority.

Reports as follows: As the Committee's initial request for financial impact relative to the DDA has not been honored by the Administration to date, the Public Properties and Safety Committee hereby officially re-requests same for presentation at its next meeting to be held on Wednesday, May 1 at 1:00 in the Council Conference Room.

Signed:

James Blair,
Louis F. Adado,
Committee on Public Properties and
Safety

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

April 25, 1985

President Charles Creamer
and Members of City Council

Re: Claim in the amount of \$206.00 from Lansing
Mercy Ambulance Service

Dear President Creamer and Members of City Council:

This claim was filed with the City on April 1, 1985, and is a claim by Lansing Mercy Ambulance Service in the amount of \$206.00. An investigation by this office has determined that although at the time of this call all of the Lansing ambulances were in service, the person receiving the ambulance service has Medicare. It is this office's understanding that Medicare will pay for this service. The Lansing Mercy Ambulance Service has been contacted by this office by telephone and letter and they have indicated that they will bill Medicare for this service.

Therefore, no further action need be taken by City Council in this matter.

Respectfully submitted,

Stephen R. Sawyer,
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and since this claim can be submitted to Medicare for payment, this be received and filed.

Carried.

April 26, 1985

President Charles Creamer
and Members of City Council

Re: Claim of Dave Sheets in the amount of \$345.52

Dear President Creamer and Members of City Council:

Claimant Dave Sheets, 1814 S. Washington, filed this claim with the City for damage to two front plate glass windows of his building at 1806 S. Washington. Claimant states that on February 12, 1985, snow and ice thrown by a City snow plow damaged the windows. The claimant replaced the windows at a cost of \$345.52.

Information furnished to this Department by the Public Service Department reveals that on February 12, 1985, City snow plows were in the vicinity of 1806 S. Washington. Due to the weather conditions and the wet and heavy snow, plows were traveling at a fast speed in an attempt to remove the snow from the street. As a result, damage occurred to the window as alleged by the claimant.

Generally, a municipality is statutorily immune from liability for negligent acts when performing a governmental function. See MCLA 691.1401 et seq. One of the statutory exceptions for governmental immunity provides that liability can be imposed for the negligent operation of a motor vehicle owned by a municipality. In this particular situation, the City snow plow was operating at a speed which resulted in snow and ice damaging an adjoining property owner's front windows.

Therefore, based upon the application of the law as applied to the facts as set forth above, it is the recommendation of this office that the amount of \$345.52 be paid to the claimant.

Respectfully submitted,

Stephen R. Sawyer,
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of \$345.52 payable to Dave Sheets.

Carried.

April 26, 1985

President Charles Creamer
and Members of City Council

Re: Claim of Sholey's Bar in the amount of \$50.82

Dear President Creamer and Members of City Council:

Claimant Sholey's Bar on March 20, 1985 submitted this claim to the City for damage to a plate glass window on February 12, 1985 as a result of a window being struck by snow and ice thrown by a City snow plow.

Investigation by the Public Service Department reveals that City snow plows were engaged in snow removal in the vicinity of Sholey's Bar, 1819 S. Washington. Due to the weather conditions and the wet and heavy snow, plows were traveling at a fast speed in an attempt to remove the snow from the street. As a result, damage occurred to the window as alleged by the claimant.

Generally, a municipality is statutorily immune from liability for negligent acts when performing a governmental function. See MCLA 691.1401 et seq. One of the statutory exceptions for governmental immunity provides that liability can be imposed for the negligent operation of a motor vehicle owned by a municipality. In this particular situation, the City snow plow was operating at a speed which resulted in snow and ice damaging an adjoining property owner's front windows.

Therefore, based upon the application of the law as applied to the facts as set forth above, it is the recommendation of this office that the amount of \$50.82 be paid to the claimant.

Respectfully submitted,

Stephen R. Sawyer,
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby

directed to draw a warrant on the City Treasurer in the amount of \$50.82 payable to Sholty's Bar.

Carried.

April 26, 1985

President Charles Creamer
and Members of City Council

Re: Claim of Larrie D. Stacey in the amount of \$63.17

Dear President Creamer
and Members of City Council:

On March 4, 1985, Larrie D. Stacey submitted a claim for damage to his automobile tire in the amount of \$63.17. Claimant states that on Friday, February 22, 1985, at approximately 5:00 p.m. while driving southbound on Pennsylvania Avenue near Kendon Avenue his vehicle struck a pot hole. The right front tire was blown out. Claimant states that after pulling into a nearby service station to have the tire repaired, other vehicles were already there with flat tires and three additional vehicles pulled in with flat tires after his arrival.

Information furnished to this office by the Public Service Department indicates that a complaint was received by the Public Service Department at 5:45 p.m. on February 22, 1985 regarding a pothole on South Pennsylvania near Kendon. Repairs were made immediately by the Public Service Department after the complaint was received pursuant to Department policy. No prior complaint had been received by the Public Service Department regarding a pothole at this location.

The statutory requirements for finding a municipality liable for damages from defective roadways is found in MCLA 691.1403; MSA 3.996(103):

"No governmental agency is liable for injuries or damages caused by defective highways unless the governmental agency knew, or in the exercise of reasonable diligence should have known, of the existence of the defect and had a reasonable time to repair the defect before the injury took place."

In this particular situation, it appears that the City of Lansing had no prior knowledge of any defect with regard to a pothole on South Pennsylvania near Kendon Avenue and when notified acted promptly.

Therefore, based upon a review of the aforementioned facts and law, it is a recommendation of this office that this claim be denied.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

April 26, 1985

President Charles Creamer
and Members of City Council

Re: Claim of Gladys Bradford in the amount of \$126.34

Dear President Creamer
and Members of City Council:

Ms. Gladys Bradford filed a claim with the City in the amount of \$126.00 for replacement of two tires allegedly damaged as a result of striking a pothole on South Pennsylvania at Kendon Avenue.

Information supplied to this office by the Public

Service Department received a complaint about the existence of the pothole at 5:45 p.m. on February 22, 1985. The Public Service Department responded immediately. No other complaints had been previously reported regarding the existence of a pothole in this area.

Generally, a municipality is statutorily immune from negligent acts. See MCLA 691.1401 et seq. A statutory exception, MCLA 691.1403, to the aforementioned statutory immunity provides as follows:

"No governmental agency is liable for injuries or damages caused by defective highways unless the governmental agency knew, or in the exercise of reasonable diligence should have known, of the existence of the defect and had a reasonable time to repair the defect before the injury took place."

In this particular situation, it appears that the City of Lansing had no prior knowledge of any defect and when notified acted promptly.

Therefore, based upon a review of the aforementioned facts and law, it is a recommendation of this office that this claim be denied.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

April 26, 1985

President Charles Creamer
and Members of City Council

Re: Claim of Ronald V. Costello in the amount of \$394.35

Dear President Creamer
and Members of City Council:

On March 7, 1985 Mr. Costello filed this claim with the City for damage to his vehicle as a result of striking a post at the entrance/exit to the South Washington parking lot at Kalamazoo Street.

Information received from the Transportation Division reveals that on March 4, 1985 when the claimant was leaving the South Washington Mall parking lot, he stopped at the parking booth and paid his parking fee. Due to snow and ice accumulation at the entrance/exit to the South Washington Mall parking lot, the claimant could not drive the vehicle forward after stopping to pay his parking fee. As the claimant backed up and then started forward, the rear of his vehicle fishtailed and struck the support bumper post which was installed to protect the equipment. The claimant left his vehicle and the parking attendant called her supervisor who in turn called the police. The claimant returned to his vehicle at the same time as Officer Wright and the two of them along with another individual pushed the vehicle out of the entrance/exit lane.

At the time of the incident, the claimant's vehicle was insured with Auto Owners Insurance Company and this office has been informed by Auto Owners that the claimant has a \$250.00 deductible.

Generally a municipality is statutorily immune from negligence when performing a governmental function. See MCLA 691.1401 et seq. A statutory exception to the aforementioned statutory immunity exists where there is a defect in a public area such as a street and the municipality had prior notice of the defect. See MCLA 691.1403. However, the Michigan Court of Appeals has

determined that natural accumulation of snow or ice does not constitute defects. See *Klaus Estate v Michigan State Highway Department*, 90 Mich App 277; 282 NW2d 205 (1979).

Therefore, based upon a review of the aforementioned facts and law, it is a recommendation of this office that this claim be denied.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

DATE: 4/24/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application - Lansing Parks and Recreation

Attached is an application from the Lansing Parks and Recreation Department for a parade permit to hold the Capitol City 5,000/10,000 meter run, scheduled for 9:00am on Saturday, June 29, 1985, which has been approved by all the necessary departments.

Our personnel estimate this will cost the City a total of \$416.58, which represents one Sergeant, four Police Officers and five vehicles for three hours.

This is being sent to you for final action.

By COUNCILMAN SCHMIDT—

That we concur in the recommendation of the Police Chief and this parade permit be approved for June 29, 1985.

Carried.

April 25, 1985

President Charles Creamer
Members of City Council

Dear President Creamer and Members of the City Council:

Attached is a letter signed by Council James Blair submitted his affidavit of Disclosure as a Real Estate Broker with Blair House Realty.

Sincerely,

Rita M. Bauman
City Clerk

Received and placed on file

DATE: 4/24/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Boys & Girls Club

RE: Letter of appreciation for donations

The attached correspondence is submitted for your information.

Terry J. McKane

Mayor

Received and placed on file

April 25, 1985

Council President Charles Creamer and
Lansing City Councilmembers

Dear Council President Creamer and City Councilmembers:

I herewith submit to you for your consideration and confirmation the reappointment of the following members of the Lansing Hospital Finance Authority, for terms to expire on the following dates:

John Petroff	June 30, 1987
William Porter, Jr.	June 30, 1977
Kathryn Haar	June 30, 1987
Dr. Philip Gannon	June 30, 1988
Edward G. Voyt	June 30, 1988
George Mills	June 30, 1988

I trust you will give careful consideration to the reappointment of these members.

Best personal regards,

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor and these reappointments to the Lansing Hospital Finance Authority be approved.

Carried.

April 24, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmember:

It is once again time for the presentation of the Michigan Minutemen Awards and this year's awards program is scheduled for May 23, with Mrs. Paula Blanchard presenting the awards. The Michigan History Teacher of the Year Award will also be presented at this program.

In the past, our Lansing City Council has graciously hosted a reception honoring the recipients of the Michigan Minutemen Awards. This reception was paid for through the use of funds from the Council Promotions Account. I would like to ask for your support and assistance once again to help make this event special for everyone.

We will be happy to lend any support necessary to help with the arrangements and appreciate your cooperation very much.

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee on Ways and Means

April 25, 1985

Council President Charles Creamer
and Lansing City Councilmembers

Re: Museum Drive

Dear President Creamer and Councilmembers:

Enclosed for your information is the final design of the proposed construction of a cul-de-sac on Museum Drive which was approved in concept by the Lansing

City Council on November 28, 1983.

The design has been approved by the Public Service and Traffic Boards. The R.E. Olds Museum Board has also concurred with the design. The concurrence from Impression 5 and Board of Water and Light will be forthcoming before starting construction.

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety

April 25, 1985

Council President Charles Creamer and
Lansing City Councilmembers

Dear Council President Creamer and City Councilmembers:

I have reviewed the City Streets Gallery proposal from the Popular Arts Workshop. I also have discussed it with staff.

At this time I do not recommend that City contingency funds be appropriated for this project. However, it is possible that Popular Arts Workshop may make application for future State "Equity," Cable Revenue, or other City-administered funds as they may become available for arts-culture projects.

Note: I believe that Popular Arts Workshop applied for—and has received—support from the current-year State "Equity" funds. As you know, these funds are being administered by the Center for the Arts.

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee on Human Services and Intergovernmental Relations and Committee on Ways and Means

April 25, 1985

Council President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and Councilmembers:

Upon my instructions, the Department of Planning and Municipal Development completed an environmental assessment of the proposed Industrial Access Road in north Lansing and submitted it for review and comments to all appropriate agencies. A public hearing was also held by the Planning Board on the alternatives and their impacts on March 19, 1985 to receive input from the general public.

Since then, I have received and subsequently transmitted to you the recommendations from the City's Planning, Public Service and Traffic Boards. A review of the staff analysis and input from the Boards and general public indicates that we need to take action on the proposal to resolve the long standing neighborhood traffic circulation problem by providing alternate access roads to Friedland Iron and Metal Company and Granger Landfill Company to avoid the residential streets currently in use.

I concur with the Planning, Public Service and Traffic Boards in recommending the following:

(1) approval of construction of Phase I of the proposed Industrial Access Road from US-27 east along sub alternate B (Howe Ave.). The construction will include paving the road to keep dust under control.

(2) direct the staff to proceed on appraisal and

acquisitions of property needed for Phase I, which is only from vacant parcels, and no residential or business acquisition is involved.

(3) authorize the Mayor to negotiate with the benefited industries such as Friedland Iron and Metal Company and Granger Landfill Company, to contribute toward the cost of construction of the proposed roadway, because additional funding over the appropriate amount of \$84,000 currently in the City's budget for the project may be needed after the appraisals and designs are completed.

After your approval, the administration would execute contract agreements with consulting firms for design, and construction. It is estimated that the construction can be undertaken in early August and completed by November, 1985.

I recommend that a resolution by the Committee of the Whole be included for Council Agenda on Monday, April 19, 1985.

I urge you to concur with these recommendations.

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety

DATE: 4/25/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development Dept.

RE: Sealer of Weight Fees

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Ways and Means

DATE: 4/25/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development Dept.

RE: Trash Removal Assessment (U-28) July 1985 Tax Roll \$3,238.94

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the Mayor and the Trash Removal Assessment in the amount of \$3,238.94 be placed on July 1985 Tax Roll.

Carried.

DATE: 4/25/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Public Service Director

RE: Request for Street Closing - E. Grand River Ave.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the Mayor and his request for street closing of East Grand River Avenue be approved.

Carried.

DATE: 4/25/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Public Service Director

RE: Council Resolution Ordering in Sidewalk Repair - Jerome/Foster/Custer/Rumsey

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development

DATE: 4/23/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Public Service Director

RE: Sanitary Sewer Agreement - Delhi Township

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development

DATE: 4/25/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Finance Director

RE: Transfer of funds

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Ways and Means

By COMMITTEE OF THE WHOLE—

No. 0164

Resolved by the City Council of the City of Lansing:

Whereas, Melvin Dravenstatt is retiring after thirty-two years as maintenance engineer at Holy Cross Church; and

Whereas, Mel was born in Mulliken, attended High School in Portland, served in the South Pacific during the Second World War and worked and raised his family in the Lansing area; and

Whereas, his significant civic and community involvement has included 8 years of service of the City's Heating/Electrical and Air Conditioning Board, 12 years of active participation in the Boy Scouts as well as serving as an auxiliary fireman for the City in the late 1940's; and

Whereas, according to many reliable witnesses who have observed his prowess on the dance floor at a local North Lansing establishment, Mel's abilities and talents are by no means limited to the performance of his job; and

Whereas, his local membership include such notable organizations as the Knights of Columbus, the Veterans of Foreign Wars, the Fraternal Order of Eagles, the Loyal Order of Moose, the Holy Cross Usher Club and the Holy Cross Athletic Association, to name a few;

Whereas, (in view of Mel's many and varied interests,) he should have no difficulty keeping himself well amused in his retirement;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby pays official tribute to Mr. Melvin Dravenstatt for his contribution to this community on the occasion of his retirement.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

No. 0165

Resolved by the City Council of the City of Lansing:

Whereas, the transportation Division staff, the Traffic Board, the Mayor and Committee on Public Properties and Safety have all recommended approval of a request for change in the parking regulations on South Street adjacent to the former American Bank & Trust;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the installation of 60 minute meters on the south side of South Street from 68 feet west of Washington Avenue to 132 feet west of Washington Avenue.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

No. 0166

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a citizen request for traffic control at the intersection of Mersey Lane and Sandhurst Drive;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the installation of yield signs on Mersey Lane at Sandhurst Drive.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

No. 0167

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor has submitted for consideration and confirmation the reappointment of John Lewis Jr. to the Lansing Fire Commission.

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially approves and confirms the reappointment of John Lewis, Jr., to the Fire Commission for a term to expire in June of 1989.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BELEN—

No. 0168

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Industrial Plant Rehabilitation District IPR-2-85, proposed by Art C. Baryames for 2423 S. Cedar Street and more particularly described as:

Lots 8, 9, 102, and 105 or Admore Park Subdivision, City of Lansing, County of Ingham, State of Michigan.

Now, Therefore, Be It Resolved, that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District; and

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 20th day of May, 1985, at 7:00 p.m., and that notice of such hearing be published in a publication of general circulation in said City.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BELEN—

No. 0169

Resolved by the City Council of the City of Lansing:

Whereas, John Petroff's term on the Economic Development Corporation Board of Directors expired in February of this year; and

Whereas, Mayor McKane has requested that this Council concur with the reappointment of Mr. Petroff.

Now, Therefore, Be It Resolved that the City Council of the City of Lansing concurs with Mayor McKane's reappointment of Mr. John Petroff to the Economic Development Corporation Board of Directors, to expire on February 4, 1991.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

No. 0170

Resolved by the City Council of the City of Lansing:

Whereas, the Parks and Recreation Department is currently authorized to pay umpires who officiate fast pitch softball games \$10 per game; and

Whereas, the Department has been unable to hire such umpires for the 1985 season due to higher rates of pay which are now being paid by other municipalities; and

Whereas, it is the policy of the City to recover 100% of the direct costs for officials for adult sports programs; and

Whereas, the Department proposes to increase compensation for fast pitch softball umpires to \$12 per game for baseline umpires and \$16 per game for home plate umpires, to become competitive with the rates being paid by other municipalities;

Now, Therefore, Be It Resolved, that the annual fee for fast pitch softball be increased from \$335 to \$410 per team for a 24-game season, and from \$252 to \$305 per team for an 18-game season; and

Be It Further Resolved, that the Department be authorized to bill all fast pitch softball teams at this rate for the 1985 season.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

No. 0171

Resolved by the City Council of the City of Lansing:

Whereas, the City Council is currently involved with increased legislative data collection and retrieval capabilities; and

Whereas, a numerical system of filing and indexing Council documents such as resolutions has been suggested and discussed;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby directs the City Clerk to initiate a system of numbering all City Council resolutions immediately after passage; and

Be It Further Resolved, the numbering system shall be retroactive to the first regularly scheduled Council meeting in January 1985.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

No. 0172

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division Staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a citizen request to change the name of the far west section of Marquette Street,

Now, Therefore, Be It Resolved, the Lansing City Council of the City of Lansing hereby officially approves changing the name of the 1600, 1700 and 1800 blocks of Marquette Street to SHADY OAK LANE, affecting C.E. LaPiens plat, Green Oaks Subdivision and Westwood Park #1, and

Be It Further Resolved, the Clerk of the City of Lansing is hereby directed to record a certified copy of this resolution with the Register of Deeds and send a copy of same to the State Treasurer within 30 days.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$1,331.00 from Operational Services -
Equipment A/C 101-228-000-977

\$1,331.00 to Admin. Services -
Microfilm Equipment A/C 101-228-001-977
(Purchase equipment necessary to assure our
microfilm system meets state standards for
record retention)

\$1,000.00 from Estimated
Revenues A/C 101-000-000-160
\$1,000.00 to Purchasing Dept. -
Auction Expenses A/C 101-233-000-959
(1985 budget based on 50 vehicles in May
auction. Present count is 98. Increase in funding
requested to advertise in newspapers besides the
Lansing State Journal.)

Recommended by:
Jan Lazar, Budget Director

I hereby certify that this is a properly drawn and
eligible transfer.

James W. Dowsett
Finance Director

Approved:
James Blair
Tony Benavides
Ways and Means Committee

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing,
Michigan providing that the code of ordinances be
amended by: revising Chapter 16A, Sections 16A-2,
16A-4, 16A-5, 16A-6, 16A-8, 16A-12, 16A-13, 16A-16
and by deleting Sections 16A-20 and 16A-21 for the
purpose of updating the Residential Refuse and Bulk
Item, Collection Service Ordinance.

Was introduced by Councilman Worthington read a
first and second time by its title and referred to the
Committee on General Services

By COUNCILMAN WORTHINGTON—

No. 0173

Resolved by the City Council of the City of Lansing:

That a public hearing be held at 7:00 P.M., Monday,
May 13, 1985 in the 10th Floor, City Council Chambers
for the ordinances providing that Chapter 16A, Sections
16A-2, 16A-4, 16A-5, 16A-6, 16A-8, 16A-12, 16A-13,
16A-16 and by deleting Sections 16A-20 and 16A-21
for the purpose of updating the Residential Refuse and
Bulk Item, Collection Service Ordinance.

Adopted by the following vote:

Unanimously.

ORDINANCE

By COUNCILMAN BELEN—

The Committee reported that it had considered an
ordinance providing, that the Code of Ordinances, City
of Lansing, Michigan be amended by: providing for
the rezoning of properties located in the City of
Lansing, Michigan and for the revision of the district
maps adopted by Section 36-6 of the code for properties
located at: Z-4-85 — 902, 908, and 910 East Oakland
Avenue to be rezoned from "C" Residential District to
"G-2" Wholesale District.

and recommended that the ordinance be passed.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing,
that the Ordinance providing for the rezoning of
properties located in the City of Lansing, Michigan and
for the revision of the district maps adopted by Section
36-6 of the code for properties located at: Z-4-85 —
902, 908, and 910 East Oakland Avenue to be rezoned

from "C" Residential District to "G-2" Wholesale
District

be placed on order of immediate passage.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing,
that the Ordinance providing for the rezoning of
properties located in the City of Lansing, Michigan and
for the revision of the district maps adopted by Section
36-6 of the code for properties located at: Z-4-85 —
902, 908, and 910 East Oakland Avenue to be rezoned
from "C" Residential District to "G-2" Wholesale
District

be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2153

An ordinance of the City of Lansing, Michigan,
providing for the rezoning of a parcel of real property
located in the City of Lansing, Michigan, and for the
revision of the district maps adopted by Section 36-6 of
the Code of Ordinances.

The City of Lansing Ordains:

Section 1. That the district maps adopted by and
incorporated as Section 36-6 of the Code of Ordinances
of the City of Lansing, Michigan, be amended to
provide as follows:

To change the zoning classification on the property
described as follows:

Case Number: Z-4-85, 902, 908, 910 East Oakland
Avenue

Parcel Numbers: 3301-10-351-231-5; 3301-10-351-
221-6; 3301-10-351-211-7

Legal Description: Lot 1, Lot 2 and Lot 3, except the
north 106 feet of the east 55.5 feet, also except the south
111 feet of the east 19 feet, Wiley's Subdivision, City of
Lansing, Ingham County, Michigan.

From "C" Residential District to "G-2" Wholesale
District.

Section 2. All ordinances or parts of ordinances
inconsistent with the provisions are hereby repealed.

Section 3. This ordinances shall take effect thirty
(30) days from its passage unless given immediate effect
by the City Council.

ORDINANCES

By COUNCILMAN LINDEMANN—

The Committee reported that it had considered an
ordinance providing, that the Code of Ordinances, City
of Lansing, Michigan be amended by: Adding a new
Article III to Chapter 21 containing sections numbered
21-25 through 21-28 for the purpose of regulating non-fire
Alarm Systems in the City of Lansing.

Revising Chapter 24A by Amending 24A-6 for the
purpose of creating a board in Uniformity with 1984
PA 260 - Mall Advisory Board.

and recommended that the ordinance be passed.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing,
that the Ordinance providing that the Code of
Ordinances, City of Lansing, Michigan be amended
by: Adding a new Article III to Chapter 21 containing
sections numbered 21-25 through 21-28 for the purpose

of regulating non-fire Alarm Systems in the City of Lansing.

be placed on order of immediate passage.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by: Adding a new Article III to Chapter 21 containing sections numbered 21-25 through 21-28 for the purpose of regulating non-fire Alarm Systems in the City of Lansing.

be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 699

An ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances of Lansing, Michigan be amended by adding a new Article III to Chapter 21 containing sections numbered 21-25 through 21-28 for the purpose of regulating non-fire Alarm Systems in the City of Lansing.

The City of Lansing Ordains:

Section 1. That the Code of Ordinances of Lansing, Michigan, be amended by adding a new Article III to Chapter 21 containing sections numbered 21-25 through 21-28, inclusive, to read as follows:

Sec. 21-25. Definitions.

As used in this article, the following terms shall have the meanings ascribed to them:

(a) "Alarm system" means a detection device or an assembly of equipment and/or devices arranged to signal the presence of a hazard requiring urgent attention or to which police are expected to respond. A fire alarm system or an alarm system which monitors temperature, humidity, or other conditions not directly related to the detection of an unauthorized intrusion into a premises or an attempted robbery of a premise is excluded from the provisions of this ordinance.

(b) "Police Department" means the City of Lansing Police Department.

(c) "False alarm" means the activation of an alarm system through mechanical failure, malfunction, improper installation, negligence, or the intentional activation of the alarm system without reasonable and legitimate need by the owner or lessee of an alarm system or his or her employee or agent. False alarm shall not include an alarm caused by a hurricane, tornado, earthquake, telephone lines down or other violent condition beyond the control of the owner or lessee of an alarm system or of their employee or agent.

Sec. 21-26. Installation of alarm system, generally.

(1) An alarm system may not be installed or operated in the City of Lansing unless the alarm system is:

(a) Installed by an alarm system contractor licensed under Public Act 330 of 1968, as amended.

(b) Installed by the owner or occupant of a residence in his or her own residence.

(2) An alarm system installed in a commercial or public building shall utilize equipment and methods of installation equivalent to or exceeding minimum Underwriters Laboratory requirement for installation.

(3) An alarm system installed in a residence shall utilize equipment equivalent to or exceeding minimum applicable underwriters laboratory or American Stan-

dard Institute requirements for household burglar alarm systems.

Sec. 21-27. Permission required to connect alarm system with Police Department.

A person shall not sell, install, operate, adjust, arrange for a contract to provide a device which upon activation, either for a contract to provide a device which upon activation, either mechanically, electronically, or by any other means, initiates the automatic calling or dialing of or makes a connection directly to, a telephone assigned to the police department for the purpose of delivering a recorded message without first receiving written permission from the police department.

Sec. 21-28. False alarm; defective systems, procedures to terminate service.

The Police Department shall prepare procedural guidelines for the handling of excessive false alarms and upon approval by City Council, implement said procedures. Said guidelines shall include a provision that an alarm system experiencing more than nine (9) false alarms within a twelve (12) month period shall be deemed defective and unless further action is taken by the owner or lessee of the alarm service, the Police Department may terminate service for any subsequent alarm generated.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions here of are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

Section 4. This ordinance shall automatically expire ten (10) years from its date of adoption unless reenacted by the City Council.

Policy and Guidelines For Terminating Service To Those Alarm Users Which Have Excessive False Alarms

A. Whenever any alarm system experiences more than five (5) false alarms within a twelve (12) month period, the Police Department shall inform the alarm user in writing that an additional four (4) false alarms within the same calendar year would generally result in no police response to their alarm.

B. After four (4) additional false alarms within the same twelve (12) month period, the alarm system shall be deemed defective and a written notice shall be sent to the alarm user, and the alarm company involved (if applicable). The written notice shall require the alarm system user to have the alarm system inspected by a licensed alarm system contractor who shall file within fifteen (15) days of the receipt of the letter by the alarm user a written report with the Police Department of the result of the inspection of the system, the probable cause of the false alarm and any recommendations for eliminating the false alarm. In addition, at the same time, the alarm user must inform the Police Department in writing what steps have been and/or will be taken to alleviate the false alarms.

C. Failure to supply the Police Department with the requisite information in writing within the fifteen (15) day time period and/or failure to file within the requested time period the alarm user's written statement as to what steps the alarm user has or will be taking (along with a reasonable time period) to alleviate the false alarms, will result in the Police Department notifying the alarm user and alarm company (if applicable) in writing that generally there will be no further response by police personnel to the alarm located at the alarm user's site.

D. If the alarm user provides written reports within the required time period of fifteen (15) days, but fails to

implement the requisite changes within the time period set forth by the Police Department, the Police Department shall notify the alarm user and alarm company (if applicable) in writing that there generally will be no further response by police personnel to the alarm located at the alarm user's site.

E. Alarm systems which terminate at the Police Department and at answering services shall be under the same constraints and guidelines as outlined above.

F. The Police Chief or his designee may, at his discretion, choose not to terminate response to a system if satisfied that a reasonable attempt is being made by the alarm user or servicing alarm company to alleviate the problem.

G. The Police Chief or his designee may, at his discretion, extend any of the time periods set forth in these guidelines provided said extension shall be based upon good cause and prior permission is sought by the alarm user.

H. During any time period set forth herein, or during any extension granted by the Police Chief or his designee, whether for repairs or for filing the requisite reports, the Police Department shall continue to respond to the alarm user's site.

I. After final written notification, police either will not generally respond to subsequent alarms generated until such time as the corrective action has been taken and the Police Department has been so informed or the Police Chief or his designee is satisfied that a reasonable attempt is being made by the alarm user or servicing alarm company to alleviate the problem.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by revising Chapter 24A by amending 24A-6 for the purpose of creating a board in uniformity with 1984 PA 260. (Mall Advisory Board) be placed on order of immediate passage.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by revising Chapter 24A by amending 24A-6 for the purpose of creating a board in uniformity with 1984 PA 260. (Mall Advisory Board) be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 700

An Ordinance of the City of Lansing, Michigan, providing that Chapter 24A of the Code of Ordinances, of Lansing, Michigan, be amended by revising Section 24A-6 for the purpose of creating a board in uniformity with 1984 PA 260.

The City of Lansing Ordains:

Section 1. That Chapter 24A of the Code of Ordinances of the City of Lansing, Michigan, be amended by revising Section 24A-6 to read as follows:

Sec. 24A-6. Mall advisory board.

The mayor shall appoint and council confirm a seven-member advisory board to advise the mayor and the department of parks and recreation on: 1) the necessity, advisability and desirability of shows, promotions, exhibitions, displays, peddling, hawking and vending and the sale or solicitation of the sale of ice

cream, ice cream products or confections within the Downtown Mall and Environs area; 2) The management of any maintenance, security, promotion program in connection with a redevelopment project involving the principal shopping area located within the Downtown Mall and environs; 3) The management of the continued operation of any redevelopment project involving the principal shopping area located within the Downtown Mall and environs as defined by this chapter. The board shall consist of a representative of City Government and an individual from an area adjacent to the Downtown Mall and environs and at least four (4) members shall be composed of owners or operators of businesses located within the Downtown Mall and environs. The board appointees shall serve overlapping three year terms. In the first instance, the mayor shall so arrange their terms so that two (2) members terms shall expire in one year; two (2) members in the succeeding year; and two (2) members in three (3) years. The mall advisory board shall meet not less than once a month.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMEN SCHMIDT & LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter from Gentilozzi Real Estate and Management Company submitting proposal for the existing Lansing Civic Center.

Referred to the Civic Center ad hoc Committee, Mayor and Committee on Public Properties and Safety.

April 26, 1985

Council President Charles Creamer and Lansing City Councilmembers

Dear President Creamer and Councilmembers:

I recently recommended to you the funding of the Fair Housing Center. Since I feel that it would be in the best interest of the City to undertake their efforts as promptly as possible, I am attaching for your consideration a proposed transfer within the current year budget to enable us to enter into a contract beginning in May and continuing through next year.

I would appreciate your consideration and approval of the proposed transfer so that I can authorize the Human Resources Department to proceed with the contract.

Thank you for your cooperation.

Sincerely,

Terry J. McKane,
Mayor

Referred to the Committee on Ways and Means and Human Services and Intergovernmental Relations

REMARKS BY HOWARD MCCAFFERY, PUBLIC SERVICE DIRECTOR, REPRESENTING MAYOR

Announced the City auction of automobiles to be held May 4, 1985.

REMARKS BY THE CITY COUNCIL

Councilmember Worthington commended Dave Purvis, Administrative Services Director for his recognition as an outstanding Volunteer.

Councilmembers Adado and Schmidt asked about parking problem for the new restaurant "Hayloft" on E. Miller Road by Cedar St.

Councilmember Blair asked if the administration had the information he requested for the telephone system survey being conducted at this time. Also brought up the legality of the fact the Mayor nor his executive assistant being present at the City Council Meeting.

Gary Andrews, 560 Brookland, spoke regarding the Open Meetings Act and signing in for meetings being held in City Hall.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:50 P.M.

RITA BAUMAN,
City Clerk

April 19, 1985

Lansing, Michigan

By COUNCILMAN ADADO—

That we reconsider our motion to adjourn and reconvene this council meeting.

Carried.

Councilmembers Belen, Blair and Lindemann had left the session.

Councilmember Blair questioned the legality of reconvening the meeting. Further research determined it was not legal and members held informal session to allow William Jakovic to express his problem.

He represented the South Washington/Holmes Rd. Westside Deli, and presented their problem with guidewires on electrical pole at the entrance to their business requesting city to help pay for the moving of the pole. As Council was not in session, he was directed to attend the Committee on Public Properties and Safety meeting this week.

RITA BAUMAN,
City Clerk

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

184

Proceedings, May 6, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

May 6, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmembers Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—7.

Absent: Blair-1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Belen.

Pledge of allegiance was led by Tyrone Boyd.

By COUNCILMEMBER BENAVIDES—

That the council proceedings of April 1, 1985 be approved and Carried.

PUBLIC HEARING

May 6, 1985 at 7:00 o'clock being the time set for holding a public hearing on the proposed Special Land Use SLU-33-84, for east of Pennsylvania, south of Orchard St., and north of Lansing Eastern High School, to be utilized for parking area.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed special land use they had the privilege of speaking at this time.

Richard Kibbey, Eastside Neighborhood Association spoke.

Referred to the Committee on Physical Development.

PUBLIC HEARING

May 6, 1985 at 7:00 o'clock being the time set for holding a public hearing on the proposed Special Land Use SLU-4-85, 1434 E. Jolly Rd. to be used for expanding commercial greenhouse operation by adding two new buildings.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed special land use they had the privilege of speaking at this time.

Referred to the Committee on Physical Development.

PUBLIC HEARING

May 6, 1985 at 7:00 o'clock being the time set for holding a public hearing on the proposed "100" Block Project Plan.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed project plan they had the privilege of speaking at this time.

Referred to the Committee on Economic Development.

PUBLIC HEARING

May 6, 1985 at 7:00 o'clock being the time set for holding a public hearing on the proposed restoring of the current millage rate.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed restoring of the current millage rate they had the privilege of speaking at this time.

Referred to the Committee of the Whole.

PUBLIC HEARING

May 6, 1985 at 7:00 o'clock being the time set for holding a public hearing on the proposed City's FY 85-86 budget including Federal Revenue Sharing, Community Development Block Grant allocation, and the Capital Improvements Budget.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed FY 85-86 budget they had the privilege of speaking at this time.

George Sinadinos spoke regarding Parking Budget.

Priscilla Holmes.

Irene Gross, Mary Haney, and Bev Miller of the North Lansing Association spoke regarding funds for North Lansing in the budget.

Referred to the Committee of the Whole.

By COUNCILMEMBER ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of hearing remarks from the Downtown Merchants.

Speaking in favor of opening up the South Washington Mall were:

Mrs. Phung, Thi Hanh, Aux Delices Restaurant

George Eyde, 300 S. Washington (Knapps Bldg.)

Bernie Danowitz, R & H Shoe Store

Alec Malvetis, former manager of Shaw's Jewelry Store

George Sinadinos

Dr. Luu Nguyen Dat, Aux Delices Restaurant

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Al Leblanc, representing the River Forest Assoc., spoke in regard to Communication #10.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

Public Drivers—Peter Roy Morris, Michael T. Ashcraft, Ted F. Slocum II, Theodore H. Longdo, William E. Downer, Bennett W. Hart, Michael J. Dumency, Alan W. Hengesbach, Anthony B. Cruz, Charles A. Mitchell, Robert L. Troub.

Theatre—(Pussycat Theatre) Capital City Amusements.

Cabaret—Pro-Bowl.

Auctioneer—Bob Havers.

Sign Erector—Johnson Sign Co., Inc.

Referred to the Committee on General Committee on General Services.

Suit filed in Circuit Court by Kurt Kosloski vs. Blue Arrow, Inc., CW Transport, Inc. and City of Lansing for injuries sustained in an accident at intersection of Jolly Rd. and Aurelius Rd.

Referred to the City Attorney and Mayor.

Petition filed for the rezoning of property Z-13-85—116 W. Kilborn St. to be rezoned from "C" Residential District to "D-1" Professional Office District filed by Richard Cook.

Referred to the Mayor and Planning Board.

Petitions filed by residents in the Richmond/Ingham-/Sidney/W. Jolly Rd. area regarding malfunctioning sewer and drain system.

Referred to the Mayor and Public Service Department.

Michigan Liquor Control Commission submits requests for:

a. On-Premise license from 3121 East, Inc., to add an outdoor service area Dance Permit and Official Permit (MIS-1) for seasonal outdoor service in conjunction with a 1984 Bar-Hotel licensed business with Dance Permit located at 3121 E. Grand River (Quality Inn Motel).

b. Charles H. Aldrich for transfer ownership of 1984 Class C license located at 623 E. Michigan Ave. from Gennaro De Marco with license to be held in escrow (Silvio's Bar).

Referred to the Mayor and Committee on General Services.

Industrial Welding, Inc., 2200 Olds Avenue, submits application for Industrial Facilities Exemption Certificate.

Referred to the Mayor and the Committee on Economic Development.

Friedland Iron and Metal Company submits letter regarding the Junk Dealers License.

Referred to the Mayor and Committee on Public Properties and Safety.

Countryside Farm and Greenhouse, Fowlerville, MI., submits letter regarding the proposed ordinance for the Lansing Municipal Market.

Referred to the Mayor and the Committee on Human Services.

Joseph H. Stephenson III, 4023 Lowcroft, submits request for the vacation of Fenton St. at the corner of Lowcroft St.

Referred to the Mayor.

River Forest Neighborhood Assoc. submits request

for permission to address City Council regarding solutions of community noise problems.

Received and placed on file.

Michigan Municipal League submits notice of annual convention to be held in Flint, MI., September 11-13, 1985, and the deadline for receiving resolutions.

Received and place on file.

Michigan Department of Natural Resources submits notices re:

a. GTE Sprint Communications applying for permit for construction in the Red Cedar River Floodplain.

b. Robert E. Smith, 1449 Christopher St. to construct a garage in the Grand River Floodplain.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA:

Mayor presented Proclamation in honor of Neighborhood Pride Week to Priscilla Holmes.

Mayor commented on his letters 4a (Proclamation -Neighborhood Pride Week); 4c (Lansing Police Community Services Unit Sector Plan); 4d (Validity of Special Assessment for Washington Mall Maintenance); and 4f (pre-application approval enabling City to survey Lansing's Historic Architecture.)

PROCLAMATION

Whereas, the Lansing Neighborhood Council has stated that one of its goals is to foster communication between its member groups and City government, and,

Whereas, improving neighborhoods is a concern shared by the Lansing Neighborhood Council, Lansing City Council, and myself, and,

Whereas, I have declared my support of neighborhoods and my desire to cooperate with neighborhood groups, and,

Whereas, positive steps have been taken by my office to demonstrate this support, including regular meetings with the Neighborhood Advisory Committee in an effort to share ideas and information,

Now Therefore, I, Terry J. McKane, Mayor of the City of Lansing, by the power vested in me, do hereby proclaim the week of May 18 through May 25, 1985, as "Neighborhood Pride Week" and urge all residents to participate in Neighborhood Clean-Up Day, May 18, and Plant-A-Flower Day, May 25, 1985. By investing time and energy in the neighborhoods, the quality of life for all citizens of Lansing will be improved.

Given under my hand and the Seal of the City of Lansing this first day of May in the year of Our Lord one thousand nine hundred and eighty-five.

Terry J. McKane,
Mayor

COMMITTEE REPORTS

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

Public Drivers—Peter Roy Morris, Michael T. Ashcraft, Ted F. Slocum II, Theodore H. Longdo, William E. Downer, Bennett W. Hart, Michael J. Dumency, Alan W. Hengesbach, Anthony B. Cruz.

Theatre—(Pussycat Theatre) Capital City Amusements.

Cabaret—Pro-Bowl

Auctioneer—Bob Havers

Sign Erector—Johnson Sign Co., Inc.

Signed:

SIDNEY P. WORTHINGTON,
CHARLES M. CREAMER,
ALFREDA SCHMIDT,
Committee on General Services

By COUNCILMEMBER WORTHINGTON—

That the report of the Committee be adopted.

Councilmember Lindemann left the council chamber.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

May 3, 1985

President Charles Creamer
and Members of City Council

Re: Water's Edge Inc. v City of Lansing
Michigan Tax Tribunal Docket No. 71739

Dear President Creamer
and Members of City Council

On June 25, 1982 the Petitioner, Water's Edge, Inc. filed a petition with the Michigan Tax Tribunal alleging that the assessment placed on the real property owned by it and located at 1232 Haco Drive was greater than 50% of its true cash value and therefore was illegal. The assessment placed on the subject property by the City Assessor was \$446,600. Petitioner alleged that the subject property should not be assessed at a value greater than \$225,000. Subsequently, the Petitioner amended its petition to include tax years 1983, 1984, and 1985.

Pursuant to Michigan Tax Tribunal Rules, a counsel conference was held in the City Assessor's office. At that time, information and documents were exchanged. Subsequently, a prehearing conference was held at the Michigan Tax Tribunal. At that time appraisals were exchanged between the parties.

An evaluation of the appraisals and information supplied to the City Assessor in this matter reveals that the subject property is burdened by a long term non-economic lease of 25 years. As a result, pursuant to the Michigan Supreme Court decision in CAF v. Saginaw Township, 410 Mich 428 (1981), the subject property must be valued on the basis of contract rent and not market rent. As a result, a tentative settlement has been proposed in this matter wherein the subject property would be assessed at a value of \$331,200 for each of the tax years 1982, 1983, 1984 and 1985.

Based upon the recommendation of the City Assessor and the application of CAF v. Saginaw Township, supra, decision to the subject property, it is the recommendation of this office that the tentative settlement as set forth above be approved.

Respectfully submitted,

Stephen R. Sawyer,
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and the tentative settlement as set forth be approved.

Carried.

May 2, 1985

President Charles Creamer and
Members of City Council

Re: Claim of Matthew Meighen in the amount of
\$218.00

Dear President Creamer and
Members of City Council

Claimant has submitted a claim for damages which resulted when his vehicle struck a pothole in the 3400 block of Holmes Road at 10:20 p.m. on February 23, 1985. Claimant reported the incident to the Lansing Police Department who in turn reported the incident to the Public Service Department.

Investigation with the Public Service Department revealed that no complaints regarding potholes at the location in question were received prior to the notice from the Lansing Police Department at 6:38 a.m. on February 24, 1985. As a result of that notice the pothole was filled by 8:00 a.m. the same day the report was received.

MCLA 691.1403 provides one of the four statutory exceptions to the governmental immunity act: "No governmental agency is liable for injuries or damages caused by defective highways when the governmental agency knew, or in the exercise of reasonable diligence, should have known, of the existence of the defect and had a reasonable time to repair the defect before the injury took place. Knowledge of the defect and the time to repair the same shall be conclusively presumed when the defect existed so as to be readily apparent to an ordinarily observant person for a period of 30 days longer before the injury took place."

Based upon the facts and law as stated above, it is the recommendation of this office that the claim be denied.

Respectfully submitted,

Stephen R. Sawyer,
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

May 2, 1985

President Charles Creamer and
Members of Lansing City Council

RE: Claim of Laura Reckell in the amount of \$135.64

Dear President Creamer and
Members of City Council

On March 20, 1985 Laura Reckell submitted a claim for damage to a tire in the amount of \$135.64. Claimant states that while traveling northbound on Pennsylvania at Prospect Street on March 8, 1985 at approximately 11:00 a.m. she hit a pothole damaging the tire beyond repair. Claimant states that she contacted the City and the pothole was repaired.

Information furnished to this Department by the Public Service Department indicates that a complaint was received on March 8, 1985 at 2:10 p.m. concerning the condition of Pennsylvania one block south of Michigan Avenue. The condition was corrected on March 9, 1985 at 9:00 a.m. by filling the pothole in that area. The Public Service Department indicates that no complaints were received prior to March 8, at 2:10 p.m.

The statutory requirement for finding a municipality liable for damages arising out of defective roadways is found in MCLA 691.1403, MSA 3.996 (103): "No governmental agency is liable for injuries or damages

caused by defective highways when the governmental agency knew, or in the exercise of reasonable diligence, should have known, of the existence of the defect and had a reasonable time to repair the defect before the injury took place. Knowledge of the defect and the time to repair the same shall be conclusively presumed when the defect existed so as to be readily apparent to an ordinarily observant person for a period of 30 days longer before the injury took place."

Applying the aforementioned statutory provision to the facts presented by this claim, the City of Lansing had no prior notice of any defect with regard to potholes on South Pennsylvania in the area and date in question.

Therefore, based upon the aforementioned facts and law, it is the recommendation of this office that the claim be denied.

Respectfully submitted,

Stephen R. Sawyer,
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

May 2, 1985

President Charles Creamer and
Members of City Council

RE: Claim of William Mantle in the amount of \$190.00.

Dear President Creamer and
Members of City Council

On February 27, 1985 the claimant, William Mantle, submitted a claim for property damage to a home he owns at 1205 Hickory Street in the amount of \$190.00. Claimant states that the property damage occurred as a result of a Lansing patrol car crashing into the porch of the Hickory Strett residence while in pursuit of a runaway.

The City's insurance carrier covers property damage caused by City vehicles, with no deductible contribution. As a result, this office has referred this claim to the City's insurance carrier for their review.

Therefore, based upon the above stated facts, no further action need be taken by City Council.

Respectfully submitted,

Stephen R. Sawyer,
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be placed on file as no further action of City Council is needed.

Carried.

DATE: 5/3/85

TO: President Creamer and Members,
Lansing City Council

FROM: Police Chief Richard Gleason

SUBJECT: Parade application - Get Fit for Summer Expo

Attached is an application for a parade permit from the above-referenced organization, scheduled for 1:00 p.m. on Sunday May 12, 1985, which has been

approved by all the necessary departments.

Our personnel estimate this will cost the City a total of \$252.36, which represents one Sergeant, two Police Officers, and three vehicles for three hours.

This is being sent to you for final action.

By COUNCILMEMBER SCHMIDT—

That we concur in the recommendation of the Police Chief and this parade application be approved.

Carried.

DATE: 5/3/85

TO: Council President Creamer and Lansing City Councilmembers

FROM: Emerson Ohl, Executive Director, EDC

SUBJECT: Fox Development

The Lansing Economic Development Corporation has received an application for an EDC bond issuance for \$4,000,000 for the Fox Development project, and approved the attached resolution.

The EDC Board requests that the City Council review the proposed project area and district, and approve these areas; and confirm the Mayor's appointment of two temporary directors, at that time that the Mayor selects these directors.

Referred to the Committee on Economic Development.

DATE: 5/1/85

TO: City Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Fern Featherly

RE: Letter of appreciation for Volunteer Dinner.

The attached correspondence is submitted for your information.

Terry J. McKane,
Mayor

Received and placed on file.

May 2, 1985

Council President Charles Creamer and City Councilmembers

Subject: Lansing Police Community Services Unit Sector Plan

Dear President Creamer and Councilmembers:

Following is information regarding a new Community Services Unit Sector Plan which was implemented on Monday, March 4, 1985.

Sgt. Ross, Supervisor of the Community Services Unit attended a statewide seminar on School/Police Programs in Saginaw in early 1984. After extensive research into similar programs, Sgt. Ross presented a recommendation to Police Chief Richard Gleason for the Sector Program.

I should also note that at the same time, my Community Youth Study Group was conducting meetings and research into youth problems in the City. Their report to me recommended expansion of existing, and development of additional, preventative services.

The Chief of Police and his staff studied the proposed Sector Plan, and determined that the rewards to the Department and the Community warranted the

implementation of this plan.

Sgt. Ross and members of his staff then met with officials of the Lansing School District. They were very receptive to the program and immediately went to work to arrange the requested space.

The goals of the Sector Plan are as follows:

1. To improve communications
 - a. between Divisions and Units of the Lansing Police Department,
 - b. between the Lansing Police Department and the Lansing School District,
 - c. between the Lansing Police Department and the Residential Community, Neighborhood Watch,
 - d. between the Lansing Police Department and the Business Community,
 - e. between the Lansing School District, Residential Community, and Business Community.
2. To improve relationships between the Lansing Police Department and the rest of the community.
3. To provide more continuity between the Lansing Police Department and the community.
4. To increase their capability to present programs.
5. To provide a more successful method of tracking problem juveniles that are involved in criminal activity.

The breakdown of the Sector Plan is as follows:

Sector #1, based on boundaries for Otto Middle School

Team: Dennis Shaw, #095 and Rick Gearhart, #155.

Vehicle: Car #101

Office: Sheridan Road School, 3701 N. Cedar, TX: 374-4037

Sector #2, based on boundaries for Pattengill Middle School.

Team: Don Schneider, #146, and Jim Kus, #144.

Vehicle: Car #47

Office: Allen Street School, 1614 E. Kalamazoo, TX: 374-4038.

Sector #3, based on boundaries for Gardner Middle School.

Team: Dave Dickson, #215, and Jeff Smith, #165.

Vehicle: Car #134

Office: Cavanaugh School, 300 W. Cavanaugh, TX: 887-3211.

Sector #4, based on boundaries for Dwight Righ Middle School.

Team: Nancy Small, #053, and Dick Holm, #006.

Vehicle: Car #129

Office: Woodcreek School, 4000 Woodcreek, TX: 887-3212.

(These telephones were installed directly into the Officers' Office by the Lansing School District.)

In order to accomplish their goals, the Sector Officers are responsible for all programs within their sectors. This, in turn, requires that any Officer assigned to the Community Services Unit be fully trained in all aspects of School Education and Crime Prevention.

The Lansing Police Department has not changed its

basic programs or services. The Department has changed the manner in which they are now provided.

After one month of the program, the feedback from the Community and School District has been very positive.

Sincerely,

Terry J. McKane,
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 4/30/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the City Attorney's office.

RE: Validity of Special Assessment for Washington Mall Maintenance.

The attached correspondence is submitted to you for your information.

Terry J. McKane,
Mayor

Received and place on file with a copy to the Committee on Public Properties and Safety.

DATE: 4/30/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Finance Director.

RE: Transfer of Funds

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane,
Mayor

Referred to the Committee on Ways and Means.

May 1, 1985

Dear Council President Creamer and Councilmembers,

A preliminary application was submitted to the Michigan Department of State, Michigan History Division, August 30, 1984 requesting funds to enable the City to survey Lansing's Historic Architecture within designated areas. A map is attached showing the areas to be surveyed. The areas were developed with the assistance of the State History Division.

The Grants and Program Coordinator has just recently been notified that the pre-application has been approved and we should submit a full application. The funds requested were: Federal share, \$8,900; City share, \$12,574; total amount of grant, \$21,654. Attached is a resolution accepting the fund.

I recommend the acceptance of these funds as this is a project of vital interest to the City's Historic Commission and also important to recording the historic architectural heritage of our community.

Thank you for your consideration.

Sincerely,

Terry J. McKane,
Mayor

By COUNCILMAN BENAVIDES—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing submitted a preliminary application to the Michigan Department of State, Michigan History Division, August 30, 1984, and

Whereas, the funds were requested to enable the city to survey Lansing's Historic Architecture within designated areas, and

Whereas, the pre-application has been approved and a full application has been prepared and submitted, the amount of the grant is Federal share \$8,900, City share \$12,754, total amount of grant \$21,654, and

Whereas, the city's match consists of \$11,644 of in-kind services (salaries of participating staff) and \$1,100 of supplies, film and film processing, also in house photocopying from Planning Division budget,

Now, Therefore, Be It Resolved, the City of Lansing does accept these funds.

Adopted by the following vote:

Unanimously.

RESOLUTIONS

By GENERAL SERVICES COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the City Council has directed a review, revision and reorganization of the Lansing Code of Ordinances; and

Whereas, a variety of chapters and sections of the current code have been identified for deletion without replacement in the reorganized code; and

Whereas, the Council desires public input on those proposed deletions;

Now, Therefore, Be It Resolved, the City Clerk is hereby authorized to schedule and announce a public hearing for 7:00 p.m. on Monday, May 20, 1985 in the 10th floor Chamber of City Hall, for the purpose of receiving public comment on the attached list of proposed deletions from the City Code, which will be accomplished through the recodification process; and

Be It Further Resolved the clerk is requested to maintain a limited number of copies of the proposed deletions for review by the public prior to the hearing.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, the Charter Township of Delhi has petitioned the City of Lansing to provide sanitary sewer service on Pine Tree Road, Lansing, MI., legally described as:

A part of the southwest ¼ of Section 1, T3N, R2W, Delhi Township, Ingham County, Michigan, described as beginning on the West Section line at a point S00°41'27"E 700 feet from the West ¼ corner; thence N39°14'24"E 1100.18 feet parallel with the East-West ¼ line to the West line of Ramp F of Highway I-496 and I-96; thence along said West line the following two courses; S26°57'30"W 175.39 feet; thence S36°02'12"E 188.87 feet; thence S89°14'52"W 905.85 feet to the West Section line; thence N00°41'27"W 306.38 feet to the point of beginning, continuing 7.116 acres of land and subject to any easements or rights of way of record,

by amended the Agreement for Construction and

Maintenance of Sanitary Sewer System dated August 7, 1974 between the City of Lansing and the Charter Township of Delhi by adding this area to the Agreement, and

Whereas, the Public Service Director has recommended that the request be approved.

Now, Therefore, Be It Resolved, that the Agreement between the City of Lansing and the Charter Township of Delhi dated August 7, 1974, be amended by adding the above area as described to the Agreement, and that all terms of the Agreement be complied with by the Charter Township of Delhi, and that the connection be designed to City of Lansing requirements and specifications, that the final design be approved by the Wastewater Superintendent and the City Engineer, and that the property owner execute an agreement with the City that within 30 days of the completion of construction of a gravity sanitary sewer main on Pine Tree the force main connection, will be discontinued and a connection made to the gravity sewer and that an equity investment fee, as described by the City Engineer be paid by the property owner prior to the issuance of a sewer construction permit.

By COUNCILMAN BELEN—

That this resolution be denied:

Adopted by the following vote:

Unanimously.

PUBLIC IMPROVEMENT I

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved, by the Mayor and City Council of the City of Lansing that it is hereby determined to be a public necessity to construct curb and gutter in Southfield Ave. from Daft Street to Yunker Street.

A petition for (See Petition #CG-3-84 on file with the City Clerk) Signed 50% of the benefited owners, Signed by owners of 53% of the benefited frontage.

That the Department of Public Service be and hereby is directed to cause to be prepared so as far as necessary, diagrams and plats of the whole of said district, and/or plans and specifications for such project, and is further directed to estimate in detail the cost of said project, and furnish said information to the Council.

Adopted by the following vote:

Unanimously.

PUBLIC IMPROVEMENT I

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved, by the Mayor and City Council of the City of Lansing that it is hereby determined to be a public necessity to construct curb and gutter and any necessary storm sewer in Ingham Street from Holmes Road to Fauna Avenue.

A petition for (See Petition #CG-1-85 on file with the City Clerk) Signed 51.2% of the benefited owners, Signed by owners of 49.4% of the benefited frontage.

That the Department of Public Service be and hereby is directed to cause to be prepared so as far as necessary, diagrams and plats of the whole of said district, and/or plans and specifications for such project, and is further directed to estimate in detail the cost of said project, and furnish said information to the Council.

Adopted by the following vote:

Unanimously.

PUBLIC IMPROVEMENT I**By COMMITTEE ON PHYSICAL DEVELOPMENT—**

Resolved, by the Mayor and City Council of the City of Lansing that it is hereby determined to be a public necessity to construct curb and gutter and any necessary storm drains in Christiansen Road from Reo Road to Pierce Road.

A petition for (See Petition #CG-2-84 on file with the City Clerk) Signed 55% of the benefited owners, Signed by owners of 45% of the benefited frontage.

That the Department of Public Service be and hereby is directed to cause to be prepared so as far as necessary, diagrams and plats of the whole of said district, and/or plans and specifications for such project, and is further directed to estimate in detail the cost of said project, and furnish said information to the Council.

Adopted by the following vote:

Unanimously.

Councilman Lindemann returned to the meeting.

By COMMITTEE OF THE WHOLE—

At a regular meeting of the City Council of the City of Lansing, Ingham, Eaton and Clinton Counties, Michigan, held on the 6th day of May, 1985.

Present: Councilmembers Adado, Belen, Benavides, Creamer, Lindemann, Schmidt and Worthington

Absent: Councilmember Blair

The following resolution was offered by Councilmember Benavides and seconded by Councilmember Lindemann:

Whereas, the City of Lansing intends to enter into a contract of lease with the City of Lansing Building Authority with respect to the acquisition, construction, furnishing, equipping and financing of (1) an extension of the North Grand River Avenue parking garage and (2) a pedestrian walkway to connect the North Grand Avenue parking garage to a new hotel and exhibition hall. Under the contract of lease the extension of the parking garage and the pedestrian walkway will be leased to the City; and

Whereas, it is necessary to publish a notice of such intention and to allow a 45-day period for the filing of a petition for referendum requesting an election on the contract of lease.

Therefore, Be It Resolved by the City Council of the City of Lansing, Ingham, Eaton and Clinton Counties, Michigan, as follows:

1. The City Clerk is hereby authorized and directed to cause the following notice to be published and prominently displayed once in The State Journal:

**CITY OF LANSING
INGHAM, EATON AND CLINTON COUNTIES
MICHIGAN**

**NOTICE OF INTENTION OF THE CITY
OF LANSING TO ENTER INTO A FULL
FAITH AND CREDIT GENERAL OBLIGATION
CONTRACT OF LEASE WITH THE
CITY OF LANSING BUILDING AUTHORITY
AND NOTICE OF RIGHT TO PETITION
FOR REFERENDUM THEREON**

**TO ALL ELECTORS AND TAXPAYERS
OF THE CITY OF LANSING:**

Notice Is Hereby Given, that the City Council of City of Lansing, Ingham, Eaton and Clinton Counties, Michigan, intends to authorize the execution of a full

faith and credit general obligation contract of lease with the City of Lansing Building Authority. The contract of lease will provide, among other things, for the acquisition, construction furnishing and equipping by the City of Lansing Building Authority of (1) an extension of the North Grand River Avenue parking garage and (2) a pedestrian walkway to connect the North Grand River Avenue parking garage to a new hotel and exhibition hall. The contract of lease will further provide that the City of Lansing Building Authority will finance the cost of the project by the issuance of building authority bonds pursuant to the provisions of Act 31, Public Acts of Michigan, 1948 (First Extra Session), as amended, in anticipation of the receipt of cash rental payments to be made by the City of Lansing to the City of Lansing Building Authority pursuant to the contract of lease. The maximum amount of bonds to be issued is \$6,600,000.

**FULL FAITH AND CREDIT AND LIMITED
TAXING POWER OF THE CITY OF LANSING
PLEGGED**

Notice is further given, that in the contract of lease the City of Lansing will obligate itself to make cash rental payments to the City of Lansing Building Authority in amounts sufficient to pay the principal of and interest on the bonds to be issued by the City of Lansing Building Authority and that the full faith and credit of the City of Lansing will be pledged for the making of the cash rental payments as a limited tax first budget obligation. Pursuant to the pledge of its full faith and credit, the City of Lansing will be required in each fiscal year to include in its general fund budget and to appropriate such amounts as shall be necessary to make such cash rental payments. In no event may the City of Lansing levy an ad valorem tax for the purpose of paying for the project in an amount in excess of the rate permitted by law pursuant to the city charter. In addition to its obligation to make cash rental payments, the City of Lansing will agree, in the contract of lease, to pay all costs and expenses of the City of Lansing Building Authority incidental to the issuance and payment of the bonds to the extent such expenses are not payable from the proceeds of the bonds and to pay the expenses of operating and maintaining the extension of the parking garage and the pedestrian walkway.

RIGHT TO PETITION FOR REFERENDUM

Notice is further given, that this notice is given to and for the benefit of the electors and taxpayers of the City of Lansing, in order to inform them that the City Council intends to authorize the execution of the above described contract of lease and also to inform them of their right to petition for a referendum upon the question of entering into such a contract of lease. The City of Lansing intends to enter into the contract of lease without a vote of the electors thereon, but the contract of lease shall not become effective until 45 days after publication of this notice. If, within the 45-day period, a petition for referendum requesting an election on the contract of lease, signed by not less than 10% or 15,000 of the registered electors of the City of Lansing, whichever is less, has been filed with the City Clerk, the contract of lease shall not become effective unless approved by a majority of the electors of the City of Lansing voting thereon at a general or special election.

This notice is given by order of the City Council pursuant to Act 31, Public Acts of Michigan, 1948 (First Extra Session), as amended. Further information may be secured at the office of the undersigned City Clerk.

Rita Bauman
City Clerk

Dated: May 6, 1985

2. It is hereby found and determined that The State Journal is the newspaper reaching the largest number of electors and taxpayers of the City of Lansing.

3. It is hereby determined that the aforesaid notice provides information adequate to inform the electors and taxpayers of the City of Lansing of the nature of the contractual obligations to be assumed by the City of Lansing and of their right to file a petition for referendum requesting an election on the contract of lease.

Adopted by the following vote:

Unanimously.

I, the undersigned, the duly qualified and acting City Clerk of the City of Lansing, Ingham, Eaton, and Clinton Counties, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said City, held on the 6th day of May, 1985, the original of which resolution is on file in my office.

In witness whereof, I have hereunto affixed my official signature this 6th day of May, A.D. 1985.

Rita M. Bauman,
City Clerk

INTRODUCTION OF ORDINANCES

The following ordinances of the City of Lansing, Michigan providing that the code of ordinances be amended by:

Adding a new Chapter 21 containing sections numbered 21-1 through 21-12, inclusive, for the purpose of updating the Nuisance Ordinance.

Amend Chapter 26 by revising sections 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 16-19, 16-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42, and 26-44 for the purpose of updating the General Employees' Retirement System Ordinance.

were introduced by Councilmember Worthington, read a first and second time by their title, and referred to the Committee on General Services.

By COUNCILMEMBER WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That a public hearing be held at 7:00 p.m., Tuesday, May 28, 1985 in the City Council Chambers, 10th Floor, City Hall for adding a new Chapter 21 to the Code of Ordinances containing sections numbered 21-1 through 21-12, inclusive, for the purpose of updating the Nuisance Ordinance.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That a public hearing be held at 7:00 p.m., Tuesday, May 28, 1985 in the City Council Chambers, 10th Floor, City Hall for the ordinance to Amend Chapter 26 by revising sections 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 16-19, 16-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42, and 26-44 for the purpose of updating the General Employees' Retirement System Ordinance.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBERS BELEN, ADADO, AND BENAVIDES—

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter of request from Otto Jr. High School for the placement of a banner on skywalk across U.S. 27 for Wednesday, May 8, 1985.

By COUNCILMEMBER BENAVIDES—

That we approve the placement of a banner over U.S. 27 on Wednesday, May 8, 1985.

Carried.

SIDEWALK RESOLUTION

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That it is a necessary public improvement and it is hereby ordered that the sidewalk shall be reconstructed in front of, or adjacent to the following described properties:

Parcel/Address	50/50 Shared Resp. Sq. Ft. 4"	6"	100% City Resp. Sq. Ft.	
			4"	6"
3301-15-259-191-6				
121 Custer* (See Jerome also)	170	22	48	
3301-15-259-171-8				
115 Custer	83	12	66	
3301-15-259-161-9				
109 Custer	24			
3301-15-259-151-0				
103 Custer	48			
3301-15-260-001				
1505 E. Mich. on Custer	240			
3301-15-260-011-1				
1531 E. Mich. on Rumsey	98			
3301-15-260-041-7				
125 Rumsey	40			
3301-15-260-051-7				
129 Rumsey	58			
3301-15-279-042-3				
1601 E. Mich. on Rumsey	45			
3301-15-279-011-3				
124 Rumsey	20			
3301-15-126-292				
220 N. Penn. on Jerome	1674			
3301-15-255-061-8				
1301 Jerome	141			
3301-15-255-071-7				
1305 Jerome	57	36	48	
3301-15-255-081-6				
1309 Jerome	120			
3301-15-255-091-5				
1311 Jerome	24	54		
3301-15-255-101-1				
1315 Jerome	96			
3301-15-255-111-0				
1317 Jerome	96			
3301-15-255-121-9				
1319 Jerome	56			
Intersection Jerome at Holmes S.E.			30	20
3301-12-328-121-2				
128 Holmes on Jerome			48	
3301-15-258-231-8				
1306 Jerome	48			
3301-15-258-221-9				
1308 Jerome	96	24		
3301-15-258-211-0				
1310 Jerome	24	24	96	
3301-15-258-191-5				
1316 Jerome	48			
3301-15-258-181-6				
1320 Jerome	24			
3301-15-258-171-7				
127 Ferguson on Jerome	236			

Parcel/ Address	50/50 Shared Resp. Sq. Ft.		100% City Resp. Sq. Ft.		Parcel/ Address	50/50 Shared Resp. Sq. Ft.		100% City Resp. Sq. Ft.	
	4"	6"	4"	6"		4"	6"	4"	6"
3301-15-256-071-8 1401 Jerome	72		96		3301-14-106-361-9 1925 Jerome	40	40		
3301-15-256-081-7 1407 Jerome	48				3301-14-106-371-8 1929 Jerome	20			
3301-15-256-091-6 1409 Jerome	24				1600 BLOCK JEROME				
3301-15-256-111-1 1417 Jerome	38		48		Intersection Jerome @ Marshall S.W.			20	
2201-15-256-121-0 1421 Jerome	24				3301-15-279-002-4 1602 Jerome	48	48		
3301-15-256-131-9 1423-1425 Jerome	92				3301-15-279-131-8 1614 Jerome	48	48		
3301-15-256-141-8 1427 Jerome			54		1700 BLOCK JEROME				
3301-15-256-151-7 1433 Jerome	48	24			Intersection Jerome @ Marshall S.E.			36	30
3301-15-256-161-6 1437 Jerome	24	21			3301-15-280-001-8 1704 Jerome	88		48	
3301-15-256-171-5 1441 Jerome	72				3301-15-280-241-8 1712 Jerome			111	
3301-15-256-181-4 1447 Jerome	278				3301-15-280-231-9 1716 Jerome	72			
3301-15-259-001-8 1400 Jerome	75				3301-15-276-081-3 1701 Jerome	228			
3301-15-259-301-9 1404 Jerome	60		48		3301-15-276-091-2 1715 Jerome	96	12		
3301-15-259-291-3 1408 Jerome	120				3301-15-276-101-8 1717 Jerome	18		72	
3301-15-259-281-4 1412 Jerome	48				1800 BLOCK JEROME				
3301-15-259-261-6 1420 Jerome	48				3301-15-277-111-8 1801 Jerome	153		48	
3301-15-259-211 1434 Jerome			48		3301-15-277-121-7 1809 Jerome	12			
3301-15-259-201-2 1440 Jerome	96				3301-15-277-131-6 1817 Jerome	24		72	
3301-15-259-191 121 Custer on Jerome	234		30		1800 Jerome	24		48	
3301-15-257-061-0 1501 Jerome	144				3301-15-280-201-2 1804 Jerome	96		72	
3301-15-257-071-9 1505 Jerome	18				3301-15-280-191-6 1808 Jerome			48	
3301-15-257-081-8 1507 Jerome	72				3301-15-280-181-7 1812 Jerome	48	24		
3301-15-257-101-3 1517 Jerome	144				3301-15-280-171-8 127 Horton on Jerome	96		120	
3301-15-257-111-2 1521 Jerome	72		96		3301-14-151-091-5 2001 Jerome			20	
3301-15-257-131-0 1527 Jerome	96				3301-14-151-101-1 2005 Jerome	120			
3301-15-257-141-9 1531 Jerome	72		24		3301-14-151-111-0 2007 Jerome	80	40		
3301-15-260-081 1522 Jerome (Resurrection)	96				3301-14-151-138-8 2015 Jerome	60		20	
3301-15-260-001 1505 E. Mich on Jerome (Resurrection)	90				3301-14-151-141-7 2017 Jerome	63			
3301-15-260-071-5 1526 Jerome	162	12			3301-14-151-151-6 2021 Jerome	80	23		
3301-15-260-061-6 1530 Jerome	24		75		3301-14-151-161-5 2023 Jerome	80		60	
1600 BLOCK OF JEROME					3301-14-156-001-9 128 Clemens on Jerome	93	40	20	
Alley					3301-14-156-181-8 2010 Jerome	50		40	
Alley W. of 1617 Jerome			72		3301-14-156-171-9 2016 Jerome		10	20	
Intersection Jerome @ Marshall N.W.			30	20	3301-14-156-161 2020 Jerome	60			
3301-15-281-001-9 128 Horton on Jerome	72	60	96		3301-14-154-231 Dunkin Donuts			181	
3301-15-281-101-6 1910 Jerome		36			2323 E. Mich. on Foster				
3301-15-281-091-0 1912 Jerome	241	12			3301-14-154-241 109 N. Foster	40		43	
3301-14-155-001-8 1916 Jerome	36				3301-14-154-251 117 N. Foster	40			
3301-14-155-081-0 129 Clemens on Jerome	300	72			3301-14-154-261 119 N. Foster	70	45	80	
3301-15-278-141-6 202 Horton on Jerome	257				3301-14-154-271 123 N. Foster	35			
3301-15-278-161-4 1911 Jerome	40		25		3301-14-154-281 129 N. Foster	65		55	
3301-14-106-351-0 1921 Jerome	100				3301-14-154-291 131 N. Foster	20			
					3301-14-154-301 135 N. Foster	100	40		

Parcel/Address	50/50 Shared Resp. Sq. Ft.		100% City Resp. Sq. Ft.		Parcel/Address	50/50 Shared Resp. Sq. Ft.		100% City Resp. Sq. Ft.	
	4"	6"	4"	6"		4"	6"	4"	6"
3301-14-176-121 Copy Quick 2401 E. Mich on Foster	100	40			3301-14-136-121-8 332 N. Foster	40	20	20	
3301-14-176-111 110 Foster	35	5	20		3301-14-136-111-9 336 N. Foster	80	20		
3301-14-176-101 112 Foster	40				3301-14-110-341 401 N. Foster	20	20	90	13
3301-14-176-091 116 Foster		20			3301-14-110-351 405 N. Foster			60	
3301-14-154-311-7 201 N. Foster	48				3301-14-110-361 409 N. Foster	40			
3301-14-154-321-6 205 N. Foster	60		60		3301-14-110-381 417 N. Foster			25	
3301-14-154-331-5 207 N. Foster	20	20			3301-14-110-401 423 N. Foster			80	
3301-14-154-341-4 211 N. Foster	50	50			3301-14-110-411 425 N. Foster	140		40	
3301-14-154-351-3 215 N. Foster	20	40			3301-14-110-441 435 N. Foster	40		20	
3301014-154-361-2 217 N. Foster	21				3301-14-136-101 402 N. Foster	20	20	20	
3301-14-154-371-1 219 N. Foster	20				3301-14-136-091 404 N. Foster	60			
3301-14-154-381-0 223 N. Foster	20				3301-14-136-081 406 N. Foster	60	40		
3301-14-154-391-9 225 N. Foster	81	20			3301-14-136-051 416 N. Foster			20	
3301-14-154-401-5 229 N. Foster	60				3301-14-136-041 418 N. Foster	80	20		
3301-14-154-411-4 233 N. Foster	60		60		3301-14-136-021 424 N. Foster	90	10	70	
3301-14-154-421-3 235 N. Foster	20		60		3301-14-136-011 430 N. Foster	40			
3301-14-176-082 200 N. Foster Foster Community Center	168				3301-14-136-001 434 N. Foster	75			
3301-14-176-061-9 216 N. Foster	120				3301-14-105-251-2 501 N. Foster	20		75	
3301-14-176-051-0 220 N. Foster	60				3301-14-105-271-0 511 N. Foster	50	10		
3301-14-176-041-1 222 N. Foster	100	40	20		3301-14-105-281-9 513 N. Foster	20	20	20	
3301-14-176-031-2 224 N. Foster	120				3301-14-105-291-8 517 N. Foster		20		
3301-14-176-021-3 228 N. Foster	100	20			3301-14-105-301-4 519 N. Foster	20			
3301-14-176-011-4 230 N. Foster		25	40		3301-14-105-311-3 523 N. Foster	20	20	20	
3301-14-176-001-5 2402 Vine on Foster	55				3301-14-105-321-2 529 N. Foster	60	20		
3301-14-110-241-1 301 N. Foster	40		40		3301-14-126-241 500 N. Foster	120			
3301-14-110-251-0 3-5 N. Foster	35	45			3301-14-126-231-1 502 N. Foster	20		50	10
3301-14-110-261-9 307 N. Foster	20				3301-14-126-211-3 508 N. Foster		20		
3301-14-110-271-8 311 N. Foster		40			3301-14-126-192-1 512 N. Foster	180			
3301-14-110-281-7 313 N. Foster			20		3301-14-126-181-9 518 N. Foster	20		40	
3301-14-110-291-6 317 N. Foster	40	40	60		3301-14-126-171-0 522 N. Foster	100	40		
3301-14-110-311-1 325 N. Foster	160				3301-14-126-161-1 524 N. Foster	60	60		
3301-14-110-321-0 331 N. Foster	20				3301-14-126-151-2 526 N. Foster	80			
3301-14-110-331-9 333 N. Foster	80	40			3301-14-126-141-3 530 N. Foster	60		40	
3301-14-136-211-6 300 N. Foster			60		3301-14-105-351-9 603 N. Foster			20	
3301-14-136-201-7 304 N. Foster	20		80		3301-14-105-361-8 607 N. Foster	40			
3301-14-136-191-1 306 N. Foster	135	45			3301-14-105-371-7 611 N. Foster	30	30		
3301-14-136-181-2 312 N. Foster	60				3301-14-105-391-5 619 N. Foster	120			
3301-14-136-171-3 314 N. Foster	18		20		3301-14-105-411-5 629 N. Foster		20		
3301-14-136-161-4 318 N. Foster			80		3301-14-105-421-0 631 N. Foster	48			
3301-14-136-141-6 324 N. Foster	50	50	100		3301-14-126-131-4 600 N. Foster	60			
					3301-14-126-121-5 604 N. Foster	60		20	

Parcel/ Address	50/50 Shared Resp. Sq. Ft. 4"	6"	100% City Resp. Sq. Ft. 4"	6"
3301-14-126-111-6 608 N. Foster	60	40		
3301-14-126-101-7 612 N. Foster		20		
3301-14-126-091-1 614 N. Foster	20	20		
3301-14-126-071-3 620 N. Foster	40	20		
3301-14-126-061-4 622 N. Foster	100	40		
3301-14-126-041-6 626 N. Foster	55	40		
3301-14-126-031-7 634 N. Foster		20		
3301-14-126-022-1 636 N. Foster	60			

and that owners of said above described properties are hereby required to commence reconstruction within twenty (20) days from the date of this publication in accordance with section 28-41 of the Code of Ordinances or the Director of Public Service is authorized and directed to proceed to reconstruct said concrete sidewalk in accordance with section 28-42 of the Code of Ordinances. The expense of constructing the same shall be paid out of the contingent fund, and the City Assessor is hereby directed to assess the expense of reconstructing the same against said described land in accordance with Section 28-44 of the Code of Ordinances.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, per the City of Lansing's request, it is the intent of Delhi Township to provide sanitary sewer service and treatment outside its designated limits and within certain areas of the City, included within the City's official Pollution Control Plan, and,

Whereas, it appears to the Township and the City that an extension of such service will be of mutual benefit to the parties hereto, and,

Whereas, certain owners of property located within the City abutting the boundary to the Township, to-wit: that portion of Section 10 shown on Attachment "A" are desirous of obtaining sanitary sewer service from the Township,

Now, therefore be it resolved, that the Mayor and the City Clerk are hereby authorized to sign the Sanitary Sewer Service Agreement dated April 2, 1985 between the City and Delhi Township to provide for said sanitary sewer service.

Adopted by the following vote:

Unanimously.

ORDINANCES

By COUNCILMEMBER BELEN—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Mich. and for the revision of the district maps adopted by Section 36-6 of the code for property located at: Z-1-85-1000 block of East Main Street (south side) to be rezoned from "C" Residential District to "D-1" Professional Office District, and recommend that the ordinance be denied.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at: Z-1-85-1000 Block of East Main Street (south side) to be rezoned from "C" Residential District to "D-1" Professional Office District be placed on order for denial.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at: Z-1-85-1000 Block of East Main Street (south side) to be rezoned from "C" Residential District to "D-1" Professional Office District be now denied.

Denied by the following vote:

Unanimously.

By THE COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Committee on Public Properties and Safety has reviewed the plans for improvement on Museum Drive,

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby officially approves the concept of the Museum Drive Cul-de-sac as presented by the Planning Department and supported by the Administration.

Adopted by the following vote:

Unanimously.

By THE COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Act 28-84, Riverpoint Property.

Whereas, the Michigan Indian Benefit Association has proposed the location of the North American Indian Cultural Resource Center on the Riverpoint property, and,

Whereas, the Riverpoint property, which is located southwest of the confluence of the Red Cedar River and the Grand River near the intersection of Hazel Street and Platt Street, was used as a camping ground by native Americans in ancient times, and

Whereas, the City of Lansing owns the property and it is under the jurisdiction of the Parks and Recreation Department, and,

Whereas, the Planning Board, Parks Board, and Waterfront Development Board have approved the location of the American Indian Resources Center on the Riverpoint property and the leasing of the property of the Michigan Indian Benefit Center, and,

Whereas, the property is in the flood plain and the Department of Natural Resources, Water Management Division, has indicated that they would consider issuance of a permit for this property only after a hydraulic analysis and report is developed by a registered professional engineer that shows that the development will

not harmfully affect the stage or discharge characteristics of the Red Cedar or Grand Rivers,

Now, Therefore Be It Resolved, that the Lansing City Council approves the location of the North American Indian Cultural Resource Center on the Riverpoint property provided,

A. The Michigan Department of Natural Resources requirements are met.

B. The property remains under control of the Lansing Parks and Recreation Department.

C. The City of Lansing Administrative Service Department, in cooperation with the Parks and Recreation Department, execute a lease, including the provisions outlined above, with the Michigan Indian Association.

D. The City of Lansing fully intends to lease the Riverpoint property to the Michigan Indian Benefit Center.

Be it finally resolved, the final lease agreement shall be submitted to the City Council for approval within sixty (60) days.

Adopted by the following vote:

Unanimously.

By THE COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing is in receipt of a proposal from the Gentilozzi Real Estate Company for an adaptive re-use of the Civic Center, and,

Whereas, the City is interested in determining the feasibility of this proposal as well as the marketing of the existing Civic Center Building and adjacent property,

Now, therefore be it resolved, the City Council of the City of Lansing hereby officially requests the Administration to proceed with a complete review of the Civic Center property pursuant to Public Act 285 of the Public Acts of 1931.

Adopted by the following vote:

Unanimously.

By THE COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Committee on Public Properties and Safety has carefully received the Administration's recommendations regarding the construction of the North Lansing Industrial Access Road, and,

Whereas, neighborhood residents and business owners also have been included in the discussions,

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby officially concurs with the proposed alignment along Howe Street recommended by the Administration; and,

Be It Further Resolved, the Administration is hereby authorized to proceed with the phase I of the North Lansing Industrial Access Road project.

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing that Chapter 27 be amended by revising sections 27-35 and 27-35.1 to provide for an

increase in wastewater rates required for the existing operation and maintenance of the system and to comply with EPA and NPDES permit rules and regulations was introduced by Councilmember Belen, read a first and second time by its title, and referred to the Committee on Physical Development.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That a public hearing be held at 7:00 p.m., Monday, May 13, 1985 in the City Council Chambers, 10th Floor, City Hall, for the ordinance providing that Chapter 27 of the Code of Ordinances be amended by revising sections 27-35 and 27-35.1 to provide for an increase in wastewater rates required for the existing operation and maintenance for the system and to comply with EPA and NPDES permit rules and regulations.

Adopted by the following vote:

Unanimously.

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for adding a new Chapter 24A, containing sections 24A-1 through 24A-10 for the purpose of updating the Downtown Mall and Environs Ordinance was introduced by Councilmember Worthington, read a first and second time by its title, and referred to the Committee on General Services.

By COUNCILMEMBER WORTHINGTON—

That a public hearing be held at 7:00 p.m., Monday May 13, 1985 in the City Council Chambers, 10th Floor, City Hall for the ordinance adding a new Chapter 24A containing sections numbered 24A-1 through 24A-10 for the purpose of updating the Downtown Mall and Environs Ordinance.

Adopted by the following vote:

YEAS: Adado, Belen, Benavides, Creamer, Schmidt, Worthington—6.

NAYS: Lindemann—1.

Councilmember Lindemann left the session.

REMARKS BY THE MAYOR

Recent City Car Auction held was very successful.

North Lansing Fun Fest will be held May 30, 31, and June 1 and 2, 1985.

Answered Councilmember Blair's comments at meeting held last week regarding both he and the Executive Assistant being gone at the same time and naming a special assistant to attend the meeting.

REMARKS BY THE CITY COUNCIL

Councilmember Adado asked about Budget Item 25.

Councilmember Schmidt stated that the problem with parking at the Hayloft Restaurant is to be resolved soon with the paving of the current parking lot.

By COUNCILMEMBER SCHMIDT—

Resolved by the City Council of the City of Lansing:

That Councilmember Blair be excused from the session.

Carried.

Gerald W. Graves, 1623 S. Genesee Dr., asked many questions regarding Fire Dept., Streets, Budgets, Chuckholes, and Taxes. He asked about brush pick-up

for Polly Porter on South Genesee Drive.

Max Grove, 1804 S. Genesee Dr., asked about brush pick-up from their area and remarked on the parking problems with Fisher Body employees.

Howard McCaffery, Public Service Director, spoke regarding the brush pick-up program.

Pearl Boyd spoke regarding brush pick-up at 427 S. Fairview.

Jay Whitney, 901 Bates, thanked City Council for the North Lansing Industrial Road.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:35 P.M.

RITA BAUMAN,
City Clerk

May 6, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

197

Proceedings, May 9, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

May 9, 1985

The City Council of the City of Lansing, Michigan, met in special session and was called to order by President Creamer.

Present: Councilmembers Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—7.

Absent: Blair-1.

The Clerk announced that a quorum of the Council was present.

The City Clerk announced that signed receipts as to proof of service on each Councilman and the State Journal are on file in the City Clerk's Office.

In compliance with the Open Meetings Act of 1976 the Special Meeting Notice is also attached.

AWARD RESOLUTION

At a special meeting of the City Council of the City of Lansing, Michigan, held at the City Hall, on the 9th day of May, 1985, at 3:30 o'clock P.M., Eastern Daylight Time.

Present: Councilmembers Adado, Belen, Benavides, Creamer, Lindemann, Schmidt and Worthington

Absent: Councilmember Blair

The Finance Director announced that this was the time set for considering the proposals for the purchase of the \$1,500,000 General Obligation Limited Tax Park Improvement Bonds as advertised in The Daily Bond Buyer on April 29 and 30, 1985.

The Finance Director presented the following proposals which had been received on or before 11:00 o'clock A.M., Eastern Daylight Time, on this day, which proposals as to interest rates and premiums, were as follows:

Bidder	Premium	Net Interest Cost	Net Interest Rate
Manufacturers National Bank of Detroit	-0-	\$232,068.75	6.401897%
E.F. Hutton & Co.	\$153.00	227,097.00	6.2647
Macdonald & Co.	.75	250,607.58	6.467292
First of America Bank - Detroit	-0-	246,553.13	6.801465
National Bank of Detroit, The Ohio Company, NBD Commerce Bank	22.50	237,224.38	6.54412
Continental Illinois Bank and Trust Co.	895.75	228,635.50	6.307186
Manley, Bennet, McDonalds & Co.	38.75	231,020.63	6.3729
Merrill Lynch Capital Markets and Old Kent Bank	19.75	235,186.50	6.4879
Northern Trust Company & First of Michigan	101.00	226,899.00	6.2592

The following resolution was offered by Council-

member Lindemann and seconded by Councilmember Worthington.

Be it resolved by the City Council of the City of Lansing, Michigan, as follows:

1. That the proposal of E.F. Hutton & Co. to purchase the \$1,500,000 General Obligation Limited Tax Park Improvement Bonds to be issued by the City of Lansing at par and accrued interest to date of delivery plus a premium of \$153.00 and bearing interest per annum as follows:

1985	7.90%
1986	7.90
1988	5.75
1989	6.00
	6.25

being the bid which produces the lowest net interest cost to the City of Lansing after deducting premium, if any, be and the same is hereby accepted, and all other proposals are hereby rejected and the good faith deposit checks of the unsuccessful bidders are hereby ordered returned.

2. That the aforesaid bonds be issued in accordance with the terms set forth in the Bond Resolution adopted by the City Council on March 1, 1985, and bearing interest as set forth above.

3. That all resolutions and part of resolutions insofar as the same may be in conflict herewith, are hereby rescinded.

Adopted:

Yeas: Councilmembers Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington.

Nays: None

STATE OF MICHIGAN }
COUNTY OF INGHAM } SS.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lansing, Ingham, Eaton and Clinton Counties, Michigan, at a special meeting held on May 9, 1985, and that the meeting was held and the minutes thereof were filed in compliance with Act. No. 267 of the Public Acts of 1976.

In Witness Whereof, I have hereunto affixed my official signature this 9th day of May, A.D., 1985.

Rita M. Bauman
City Clerk
City of Lansing

Adopted by the following vote:

Unanimously.

RESOLUTION APPROVING AMENDED PROJECT PLAN AND BONDS

(100 Block Hotel Project)

Minutes of a special meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held at 3:30 o'clock p.m., Michigan Time, on May 9, 1985, at which the following members were present: Councilmembers: Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington, and the following were absent: Councilmember Blair.

The following preamble and resolution were offered by Councilmember Lindemann and supported by Councilmember Benavides:

Whereas, this City Council has given notice pursuant to Section 17 of Public Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), of a public hearing which was held on May, 1985, relative to (i) the Amended Project Plan for the 100 Block Hotel project (the "Project") of The Economic Development Corporation of the City of Lansing (the "Issuer"), which Amended Project Plan was recommended by the Issuer by resolution adopted by its Board of Directors on April 29, 1985 (herein the "Amended Project Plan"); and

Whereas, the Amended Project Plan provides for the sale of the site of the 200 Block Hotel and the loaning by the Issuer to Block 100 Limited Partnership of \$3,000,000 in UDAG funds and \$1,335,000 in other funds provided to the Issuer by the City of Lansing for such purpose; and (ii) the proposal that the Issuer issue and sell a new series of limited obligation revenue bonds in the approximate amount of \$10,000,000 (the "Bonds") to finance the Project; and

Whereas, at said public hearing, the fullest opportunity was given for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the Amended Project Plan and the Bonds, and further, this City Council has given due consideration to all communications received in writing with reference thereto; and

Whereas, this City Council made and preserved a record of the public hearing, including all data presented thereat; and

Whereas, this City Council desires to express its approval of said Bonds, the Amended Project Plan, and the Project described therein, and wishes to request the Issuer to proceed with the Project and the Issuance of the Bonds.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, as follows:

1. The Amended Project Plan is hereby approved in the form recommended by the Issuer on April 29, 1985, a copy of which is on file with the City Clerk and which is hereby incorporated by reference herein and thereby made a part hereof.

2. It is hereby determined that such Amended Project Plan for the Project constitutes a public purpose within the meaning of the Act and is hereby approved in its entirety based on the following considerations:

(a) Such Amended Project Plan meets the requirements set forth in Section 8 of the Act.

(b) The persons who will be active in the management of the Project for not less than one year after the approval of such Amended Project Plan have sufficient ability and experience to manage such Plan properly.

(c) The proposed method of financing the Project is feasible and the Issuer has the ability to arrange the financing.

(d) The Project is reasonable and necessary to carry out the purposes of the Act.

3. By adoption of this resolution approving such

Amended Project Plan, this City Council intends to and hereby expressly does approve the issuance, sale and delivery of the Bonds as is required by Section 103(k) of the Internal Revenue Code of 1954, as amended, and does further ratify and confirm this City Council's prior approval of the conveyance of the proposed site of the Hotel pursuant to the terms of such Amended Project Plan and the loaning of \$4,335,000 to Block 100 Limited Partnership as provided in such Amended Project Plan.

4. The Economic Development Corporation of the City of Lansing is hereby requested to proceed with the Project and the financing thereof.

5. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

6. The City Clerk is hereby directed to provide four certified copies of this resolution to the Secretary of the Issuer.

Yeas: Councilmembers Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington.

Nays: None

Abstentions: None.

Resolution declared adopted.

STATE OF MICHIGAN }
COUNTY OF INGHAM } SS.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on the 9th day of May, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act. No. 267, Public Acts of Michigan, 1976.

Rita M. Bauman
Lansing City Clerk

Adopted by the following vote:

Unanimously.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 4:05 P.M.

RITA BAUMAN,
City Clerk

May 9, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

199

Proceedings, May 13, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

May 13, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None-0.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Mayor Terry J. McKane.

(A moment of silent prayer was held for Police Officer Dean Whitehead.)

Pledge of allegiance.

By COUNCILMEMBER BENAVIDES—

That the council proceedings of April 8 and 15, 1985 be approved and Carried.

Councilman Benavides read a letter from Ruth M. Heuer on behalf of the South Central Neighborhood Organization expressing sympathy to the Family of Police Officer Dean Whitehead who was killed in the helicopter accident last Thursday.

Hearing on Proposed Change in Zoning Classification

May 13, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983, said proposed amendment being as follows:

That the property described as: Z-3-85 — 406 E. Holmes Rd. to be rezoned from "A" Single Family District to "F" Commercial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendments(s) to the Classifications they had the privilege of speaking at this time.

No objections were made to the proposed amendment(s)

Referred to the Committee on Physical Development

Hearing on Proposed Change in Zoning Classification

May 13, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983, said proposed amendment being as follows:

That the property described as: Z-6-85 — 402 Rockford Rd./401 Lincoln St. to be rezoned from "A" Residential District to "J" Parking District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendments(s) to the Classifications they had the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Physical Development

Hearing on Proposed Change in Zoning Classification

May 13, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983, said proposed amendment being as follows:

That the property described as: Z-7-85 — Northwest corner of Cedar St. and Edgewood Blvd. to be rezoned from "DM-1" Multiple District to "F" Commercial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendments(s) to the Classifications they had the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Physical Development

Hearing on Proposed Change in Zoning Classification

May 13, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983, said proposed amendment being as follows:

That the property described as: Z-8-85 — Vacant lot east of 709 E. Pennsylvania Avenue be rezoned from "C" Residential District to "F" Commercial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendments(s) to the Classifications they had the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Physical Development

Hearing on Proposed Change in Zoning Classification

May 13, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983, said proposed amendment being as follows:

That the property described as: Z-10-85 — 117 N. Fairview, 116 N. Clemens and a portion of public alley adjacent to 116 N. Clemens be rezoned from "B" Residential District to "J" Parking District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendments(s) to the Classifications they had the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Physical Development

Hearing on Proposed Change in Zoning Classification

May 13, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983, said proposed amendment being as follows:

That the property described as: Z-11-85 — 1201 W. Jolly Rd. be rezoned from "A" Residential District to "F" Commercial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendments(s) to the Classifications they had the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Physical Development

Hearing on Proposed Change in Zoning Classification

May 13, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983, said proposed amendment being as follows:

That the property described as: Z-12-85 — 1218 N. Washington St. be rezoned from "C" Residential District to "J" Parking District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendments(s) to the Classifications they had the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Physical Development

PUBLIC HEARING

May 13, 1985 at 7:00 o'clock being the time set for holding a public hearing on the proposed issuance of bonds and Project Plan for the Michigan Biotechnology Institute Project.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed issuance of bonds they had the privilege of speaking at this time.

No persons spoke

Referred to the Committee on Economic Development

PUBLIC HEARING

May 13, 1985 at 7:00 o'clock being the time set for holding a public hearing on the proposed issuance of bonds and project plan for the Michigan Theatre Renovation Project a/k/a Atrium Office partners Project.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed issuance of bonds they had the privilege of speaking at this time.

No persons spoke

Referred to the Committee on Economic Development

PUBLIC HEARING

May 13, 1985 at 7:00 o'clock being the time set for holding a public hearing on the proposed Ordinance providing that Chapter 16A of the Code be amended by revising sections 16A-2, 16A-4, 16A-5, 16A-6, 16A-8, 16A-12, 16A-13, 16A-16 and by deleting sections 16A-20 and 16A-21 for the purpose of updating the Residential Refuse and Bulk Item Collection Service Ordinance.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Ordinance Revision to Chapter 16A they had the privilege of speaking at this time.

No persons spoke

Referred to the Committee on General Services

PUBLIC HEARING

May 13, 1985 at 7:00 o'clock being the time set for holding a public hearing on the proposed adding of a new Chapter 24A, containing sections 24A-1 through 24A-10 for the purpose of updating the Downtown Mall and Environs Ordinance.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance they had the privilege of speaking at this time.

No persons spoke

Referred to the Committee on Public Properties and Safety

PUBLIC HEARING

May 13, 1985 at 7:00 o'clock being the time set for holding a public hearing on the proposed ordinance to amend Chapter 26 by revising sections 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42 and 26-44 for the purpose of updating the General Employees Retirement System Ordinance.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance amendment they had the privilege of speaking at this time.

No persons spoke

Referred to the Committee on General Services

PUBLIC HEARING

May 13, 1985 at 7:00 o'clock being the time set for holding a public hearing on the proposed Ordinance providing that Chapter 27 of the Code of Ordinances be amended by revising Sections 27-35 and 27-35.1 to provide for an increase in wastewater rates required for the existing operation and maintenance of the system and to comply with EPA and NPDES Permit rules and regulations.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed issuance of bonds they had the

privilege of speaking at this time.

John Cooper, representing Polly Hostetler, spoke and urged Councilmembers to use funds to help the problem of flooding of basements in their area.

Referred to the Committee on Physical Development and Committee on Ways and Means.

By COUNCILMEMBER BENAVIDES—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting the Proclamation in regard to National Hospital Week.

Carried.

Mayor McKane presented the proclamation to Kathy DeVine of St. Lawrence Hospital.

PROCLAMATION

Whereas, May 12-18 has been designated National Hospital Week, and,

Whereas, National Hospital Week 1985 salutes the "Lifework" of St. Lawrence and its employees, hereby referred to as "Lifeworkers", and

Whereas, the citizens of Lansing, Michigan depend daily on these "Lifeworkers" for the kind of service and dedication that improves the quality of our lives,

Now, therefore, I, Terry J. McKane, Mayor of the City of Lansing, by the power vested in me, do hereby proclaim May 12-18, 1985 as "HOSPITAL WEEK" in Lansing, and urge all citizens of this community to join with me in St. Lawrence Hospital's celebration.

Given under my hand and the Seal of the City of Lansing this first day of May in the year of our Lord one thousand nine hundred and eighty-five.

Terry J. McKane,
Mayor

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

No person spoke.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for Licenses:

Public Drivers—Ronald F. Salmon, John Bunn, Mark R. Sefcik, Michael T. Walker.

Building Wrecker—Beaver Lumber and Wrecking Co.

Building Mover—C.L. Davis and Son Housemoving.
Second Hand Dealer—Wilcox Trading Post.
Peddler—Dianne Banks.

Mechanical Amusement Device—B & B Bar, Capital Park Motor Lodge, Corey's, Connixions, Coscarelli's, Covello's, Green House, Holiday Inn South, Holiday Lounge, Holiday Lanes, Irish Pub, Korner Mart, Kroger #262, Kroger #852, Lansing Recreation, Marts Inc., Metro Bowl, Milo's Tavern, Pappy's Pizza, Pro Bowl West, Riverview Tavern, Scofe's Restaurant, Sholtzy's Bar, Silvio's Lounge, Clara's, Sir Pizza #7, Sir Pizza #1, Starr's Black and Tan, Stober's Cocktail Lounge, Tommy's Bar, Toyko Hana, Tramm's Disco, Tony's Lounge, West Bank, Geller's, Bootlegger's, Ramon's Restaurant, Whistle Stop, Unicorn, Steve's Lounge, Round Table, Pasquale's, McCleer's, Popp's Harmonie House, Lucky's Bar, Garage, Famous Taco, El Tango, Demarco's Restaurant, Colonial Bar, Airport

Bar, Johnson's Bar, Wagner's Inc., Dispatch Deli, Putt Putt Golf & Games, Shannon's Saloon, Farah & Sons.

Referred to the Committee on General Services.

Claims filed by:

a. Linda Marie Bolley, for reimbursement of rental automobile while her vehicle was being repaired from an accident with a city sewer truck.

b. Bath Charter Twp. submits letter for payment of an E.M.T. run by their Fire Dept. to Priggooris Park on April 18, 1985.

c. Atty. Camille Abood submits claim for injuries and damages on behalf of Harold Clum as a result of automobile accident at the intersection of Holmes Rd. and Stabler Street.

Referred to the City Attorney.

Petition filed for rezoning of property Z-14-85, 2223 W. Jolly, 2213 W. Jolly, 2224 Midwood to be rezoned from "A-1" Family District to "C-2" Family District filed by Roy Markey.

Referred to the Mayor and Planning Board.

Petition filed for Special Land Use SLU-5-85, for 3308 Maloney Street, to increase number of adult foster care patients.

Referred to the Mayor and Planning Board.

Rex L. LaMore, 1210 Walsh, expressed opposition to the rezoning of the 1000 block of East Main St.

Received and placed on file.

Request for waiver of fees for the Michigan Army National Guard's 126th Army Band to present a public concert at Riverfront Park on June 26, 1985.

Referred to the Mayor.

Fairview School Family-Teacher Association submits request for financial assistance to paint the skywalk near their school.

Referred to the Mayor and Committee on Public Properties and Safety.

Request for establishing a Commercial Redevelopment District at the Northwest corner of Edgewood Boulevard and S. Cedar Street filed by Fox and Associates, Inc.

Referred to the Mayor and Committee on Economic Development.

Michigan Floodplain Control Unit submits copy of letter sent to applicant for building in the Sycamore Creek Floodplain.

Received and placed on file.

Michigan Department of Transportation submits notice of public meeting for Cedar Street Improvements on Wednesday, June 5, 1985 in the Parish Hall of Immaculate Heart of Mary Church.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Mayor's letters 3b1, 3b2, and 3b3 (Board Appointments: Citizens District Council No. 4, Downtown Mall Advisory Board, and Temporary Directors Fox Development EDC Project); 3c (Board resignation: Lansing Historic Commission and Waterfront Board); 3h (Potential Purchase of Washington Square Annex Building); 3i (Correspondence from the Hundred Club of Lansing/Increased Membership.)

COMMITTEE REPORTS

The Committee on General Services approves the following licenses and bonds:

Public Drivers—Ronald F. Salmon, John Bunn, Mark R. Sefcik, Michael T. Walker.

Building Wrecker—Beaver Lumber and Wrecking Co.

Building Mover—C.L. Davis and Son Housemoving. Second Hand Dealer—Wilcox Trading Post.

Peddler—Dianne Banks.

Mechanical Amusement Device—B & B Bar, Capital Park Motor Lodge, Corey's, Connixtions, Coscarelli's, Covello's, Green House, Holiday Inn South, Holiday Lounge, Holiday Lanes, Irish Pub, Korner Mart, Kroger #262, Kroger #852, Lansing Recreation, Marts Inc., Metro Bowl, Milo's Tavern, Pappy's Pizza, Pro Bowl West, Riverview Tavern, Scofe's Restaurant, Sholty's Bar, Silvio's Lounge, Clara's, Sir Pizza #7, Sir Pizza #1, Starr's Black and Tan, Stober's Cocktail Lounge, Tommy's Bar, Toyko Hana, Tramm's Disco, Tony's Lounge, West Bank, Geller's, Bootlegger's, Ramon's Restaurant, Whistle Stop, Unicorn, Steve's Lounge, Round Table, Pasquale's, Mustang Bar, McCleer's, Popp's Harmonie House, Lucky's Bar, Garage, Famous Taco, El Tango, Demarco's Restaurant, Colonial Bar, Airport Bar, Johnson's Bar, Wagner's Inc., Dispatch Deli, Putt Putt Golf & Games, Shannon's Saloon, Farah & Sons.

Signed,

Sidney Worthington

Alfreda Schmidt

Charles Creamer

Committee on General Services

By COUNCILMEMBER WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The Committee on Physical Development, to whom was referred the Rezoning Petition Z-7-85, Northwest corner of Cedar St. and Edgewood Blvd. to be rezoned from "DM-1" Multiple District to "F" Commercial District, reports as follows: That said rezoning be approved.

Signed,

Lucile Belen

Tony Benavides

Charles Creamer

Committee on Physical Development

By COUNCILMEMBER BELEN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The Committee on Human Services and Intergovernmental Relations, to whom was referred the proposal from the Tenants Resource Center for City funding of contractual services to City residents, reports as follows: This matter is hereby referred to the Mayor for funding consideration as a human service agency. The City Council policy stipulates that Council allocates funds for human service categories, not specific agency contracts. Therefore, selection of agencies to fulfill contractual service needs is an administrative matter.

Signed,

Alfreda Schmidt

Tony Benavides

Charles Creamer

Committee on Human Services and Intergovernmental Relations.

By COUNCILMEMBER SCHMIDT—

That the report of the Committee be adopted.

By COUNCILMEMBER BLAIR—

That the Committee report be amended as follows:

That in the 4th line after the word "Mayor" a period be placed and the balance of the paragraph be deleted.

Carried.

The Committee report as amended was adopted by the following vote:

Unanimously.

The Committee on Human Services and Intergovernmental Relations, to whom was referred the proposal from the Popular Arts Workshop for "mini-grant" funding reports as follows: The proposal requires additional staff work and consultation before a decision can be made by City Council. The Committee requests that appropriate personnel from the City Administration and the School District meet with representatives from the Popular Arts Workshop to develop details of the proposal and design an acceptable contract, then report back to the Committee at the regular May 28th meeting.

Signed,

Alfreda Schmidt

Tony Benavides

Charles Creamer

Committee on Human Services and Intergovernmental Relations

By COUNCILMEMBER SCHMIDT—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The Committee on Human Services and Intergovernmental Relations, to whom was referred the Mayor's recommendation regarding funding of the Lansing Lyric Opera in the current fiscal year, reports as follows: The Committee concurs in the Mayor's recommendation to not fund the Lansing Lyric Opera in the current fiscal year. The Committee suggests that the Lansing Lyric Opera develop a proposal for FY 86 funding under the Arts and Culture mini-grant appropriation.

Signed,

Alfreda Schmidt

Tony Benavides

Charles Creamer

Committee on Human Services and Intergovernmental Relations

By COUNCILMEMBER SCHMIDT—

That the report of the Committee be adopted.

Adopted by the following vote:

YEAS: Belen, Benavides, Blair, Creamer, Schmidt, Worthington—6.

NAYS: Adado, Lindemann—2.

REPORTS OF CITY OFFICERS AND BOARDS

April 30, 1985

The Honorable Mayor and City Council of the City of Lansing, Michigan

Submitted herewith are the Financial Statements of the City funds at March 31, 1985, showing the relationship

between the estimated and actual revenues of the City's funds at that date.

This report, together with the Budget Status Report, provides the Mayor and City Council with required data relating to the financial condition of the City, exclusive of operations of the Board of Water and Light, Parking System, and General Fund. The above exclusions are reported upon separately.

Respectfully submitted,

James Dowsett
Finance Director

Stephen Duarte
City Controller

Referred to the Committee on Ways and Means.

DATE: May 7, 1985

TO: President Creamer and Members, Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application, Mayor's Parade Committee

Attached is an application for a parade permit from the above-referenced organization, scheduled for 10:00 a.m. on Saturday May 25, 1985, which has been approved by all the necessary departments.

Our personnel estimate this will cost the City a total of \$908.76, which represents (1) Sergeant, (10) Officers, and (11) vehicles for three hours.

This is being sent to you for final action.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Police Chief and this parade permit be approved.

Carried.

May 9, 1985

Council President Charles Creamer and Lansing City Councilmembers

Dear President Creamer and City Councilmembers:

I herewith submit to you for your consideration and confirmation the appointments of Lawrence Moore and James Dragisic to Citizens' District Council No. 4.

Mr. Moore resides at 1620 Osband and recently retired from Oldsmobile-GM. He will fill an unexpired term in the peripheral area, ending November 13, 1987.

Mr. Dragisic resides at 216 S. Charles. He will fill an unexpired term in the development area, ending November 13, 1987.

Both of these individuals are interested in seeing these areas restored to stately, stable neighborhoods.

I trust you will give careful consideration to the appointments of Lawrence Moore and James Dragisic to the Citizens' District Council No. 4.

Best personal regards,

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

May 9, 1985

Council President Charles Creamer and Lansing City Councilmembers

Dear President Creamer and City Councilmembers:

I herewith submit to you for your consideration and confirmation the appointment of Maggie Frankland to the Downtown Mall Advisory Board. The term will expire February 1, 1985.

During her 15-year residency of Lansing, Ms. Frankland has participated on many boards that serve the Lansing area. As a business owner in the downtown community, she is very interested in the growth and development of our City.

I trust you will give careful consideration to the appointment of Maggie Frankland to this important Board.

Best personal regards,

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

May 7, 1985

Council President Charles Creamer and Lansing City Councilmembers

Dear President Creamer and City Councilmembers:

I herewith submit to you for your consideration and confirmation the appointment of Howard Ivey and Nick Colovos as Temporary Directors for the Fox Development EDC Project.

Mr. Howard Ivey is the business manager/financial secretary of Sheet Metal Workers' International Association, Local 360, 801 South Holmes St., Lansing Michigan 48912. The SMWIA serves Ingham County and twelve other counties.

Mr. Nick Colovos serves as Temporary Director on other EDC projects.

I trust you will give careful consideration to the appointment of Howard Ivey and Nick Colovos to this important project.

Best personal regards,

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor and appoint Howard Ivey and Nick Colovos as Temporary Directors for the Fox Development EDC Project.

Carried.

DATE: 5/7/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from David Sharpe

RE: Resignation from Lansing Historic District Commission

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

DATE: 5/9/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Jerry Procknow

RE: Resignation from Waterfront Development Board

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

DATE: 5/8/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Parks and Recreation Department

RE: Removal of Box Elder Trees

The attached correspondence is submitted with my concurrence for your action

Terry J. McKane
Mayor

By COUNCILMEMBER BLAIR—

That we concur in the recommendation of the Mayor and the Box Elder Trees be removed from 3329 Turner St.

Carried.

DATE: 5/9/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Public Service Director

RE: Trash in R.O.W. Removal Assessments for June, 1985 Tax Roll (V-10).

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and this trash in R.O.W. Removal Assessment be placed on the June, 1985 Tax Roll (V-10).

Carried.

DATE: 5/9/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning Division

RE: LS-6-85, 4200 Block Aurelius Rd.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

DATE: 5/9/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Geneva K. Wiskemann

RE: Letter of Appreciation for Voluntary Recognition Dinner

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

DATE: 5/9/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Gentilozzi Real Estate Co.

RE: Potential purchase of the Washington Square Annex Building.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file with copy to Committee on Public Properties and Safety.

DATE: 5/9/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Marvin Lieberman

RE: Correspondence from the Hundred Club of Lansing/Increased Membership.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

DATE: 5/8/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Finance Department

RE: Transfer of funds

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Ways and Means.

RESOLUTIONS

By COMMITTEE OF THE WHOLE—

#0194

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has published notice of intent and had a Public Hearing on the proposed retention of the Current 10.25 mill operating levy, and

Whereas, that rate is the same as it has been the four previous fiscal years,

Now, Therefore Be It Resolved, that the City of Lansing hereby reinstates the .03 mills property tax levy that will result in revenues twenty-seven hundredths of one percent (.27%) above last year's level.

Councilmember Blair left the meeting.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER LINDEMANN—

That the budget items be separated and that Councilmember Benavides be excused from voting on the ones for Cristo Rey.

Adopted by the following vote:

Unanimously.

The following vote was taken on the Cristo Rey items.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE— #0195
Resolved by the City Council of the City of Lansing:

Whereas, the City Council has reviewed the Mayor's Recommended FY 85-86 Budget in Committee of the Whole for more than 35 hours during 11 separate sessions, and

Whereas, the City Council generally supports the Mayor's Recommendation, and

Whereas, the City Council has made numerous policy determinations and several appropriation amendments,

Now, Therefore Be It Resolved, that the City hereby established its FY 85-86 property tax levy at 10.25 mills for operations and .95 mills for debt service, for a total levy of 11.20 mills, exactly the same operating rate as levied in FY 81-82, FY 82-83, FY 83-84, and FY 84-85, and an increase of .28 mills for the voter approved Potter Park Improvements Bond Issue.

Now Therefore Be It Further Resolved, that the City Council approves the FY 85-86 Budget as recommended by the Mayor with the following modifications:

1. Purchase of cable equipment for use by City-sponsored Channel 28 shall be approved by the Committee on Ways and Means for any equipment costing \$500 or more.

2. Council agrees to send out a Request for Qualifications for a management/efficiency study of information flow, and record retention and retrieval of the City Council and City Clerk's operations. Such RFQ shall not be released until the in-house review of these operations has been reported back to the General Services Committee.

3. Purchase of memory typewriter by City Council shall be held pending management study.

4. Approve pro-rated fringe benefits for the Internal Audit clerical position.

5. Request a phase-down plan for the Civic Center be presented by the Mayor which would limit annual

subsidy and improve utilization of personnel, and that such plan be presented by July 1985 to the Public Properties and Safety Committee.

6. Reiterate policy of reserving \$50,000 in fund balance each year for a Human Needs Rainy Day Fund with a maximum of \$200,000 in such reserve.

7. Move \$10,000 from Human Services Discretionary Fund to line item for Senior Citizen Programming.

8. Approve policy to move toward standardization of memory typewriters used by City.

9. Rescind policy prohibiting purchase of micro-computers.

10. Establish a policy that the Police Beat Patrol only be used on private property when specially requested or during holiday rush season.

11. Purchase two Trident scooters within Administrative Services-recommended appropriation, deferring the lowest priority vehicle(s) as needed. If the deferred vehicle is still essential, Administration should come back with a transfer request.

12. Establish a policy to have the Beat Patrol go from downtown to North Lansing via the Riverwalk.

13. Have Administration explore reestablishment of Police Intern Program.

14. Have two scooters being replaced by Parking System offered to the Parks Department.

15. Attorney and Administration review and report the status and recommendation on Police and Fire mutual aid to Public Properties and Safety Committee.

16. Add two horses for the Horse Patrol, plus gear, maintenance, and wages for two additional security officers to ride horses—\$10,275 each—total \$20,550.

*17. Riverfront Park and River Trail to move up to Class A maintenance. Add \$13,000—Wages, Fringes, and Supplies.

18. Potter and Moores Park be A/B level maintenance and Fulton Park be put on the list.

19. Request Administration to study electric cart type vehicles for use in monitoring Riverwalk and report back costs to the Committee on Ways and Means by August 1985.

20. Add \$20,000 to Red Cedar Bike Link with \$12,850 to come from 101-936-416-974 (Parks Acquisition & Development). Also request Administration to work with the Board of Water and Light to have the Bike Link and Dike done concurrently.

21. Delete the position and funding, including fringes, for Deputy Building Commissioner from the Building Division Budget.

22. Administration to report back on reprogrammed and reprogrammable C.D. funds by June 1, 1985.

23. \$10,000 from C.D. funds for contract with Neighborhood Council.

24. Establish vehicle replacement guidelines of 60,000 miles for marked police cars and 50,000 miles (or 5 years) for the unmarked fleet, with the option of the Administration to keep longer if for economic or operational reasons they deem it most beneficial.

*25. Appropriate \$7,000 for Council Chambers capital improvements.

26. Raise priority of system development for real property system suitable for code enforcement and safety enforcement.

27. Schedule long-range planning session(s) of Council, Mayor, and departments to explore long-

range needs and options.

28. Appropriate \$4,000 to match local contribution for community beautification (flowers, trees) by neighborhoods.

29. Washrooms in S. Washington and Bancroft Parks to be kept open weekends from May-September. Report back to Public Properties and Safety.

*30. Additional electronic typewriters for Law. Add \$2,500.

31. Remove restriction for a Warrant Clerk in the District Court.

*32. Approve the increase in Judges' salaries of 7.8% of City contribution. Add \$4,072.

*33. Appropriate \$231,000 for Collins Road sewer in Wastewater Treatment Fund.

*34. Approve Administrative Transfer policy as is.

* The Budget Director is to make the appropriate line item adjustments.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE— #0196

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has been an organized, functioning governmental unit for 125 years, and

Whereas, the tradition of excellence carried on by City Employees, both past and present, has served the citizens of Lansing well, and

Whereas, we are cognizant of the tremendous resource we have in our retired city employees, and

Whereas, so often the achievements of persons who have given so much of their lives to this community are simply overlooked,

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby extends its sincere appreciation to the forty-five (45) city workers who have retired since May of last year, and

Be It Further Resolved on the occasion of this special retiree recognition dinner, the members of City Council on behalf of all the citizens of Lansing wish each of you a long and enjoyable retirement.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

#0197

Resolved by the City Council of the City of Lansing:

Whereas, pursuant to Section 36-15 and in accordance with Section 36-22.3(8) of the Lansing Zoning Ordinance, a request was made by Sparrow Hospital for a Special Land Use Permit to allow a parking lot to continue on a parcel of land lying south of Orchard Street and east of Pennsylvania Avenue and north of the Eastern/Pattengill school complex, more particularly described as:

The east 360 feet of the south 270 feet of the following described property: that part of the north 1/4 of Sec. 15, T4N, R2W, City of Lansing, County of Ingham, Michigan, commencing at the north 1/4 corner of said Sec. 15; thence running south 01° 90' 35" west 40.0 feet to the south right-of-way line of Saginaw Street; thence along said ROW line north 88° 31' 40" west 335.76 feet; thence along the east line of Jones and Porter's addition to the City of Lansing as recorded in Liber 2 of Plats on page 20, and the east line of Fairview Sub. as recorded

in Liber 3 of Plats on page 46, Ingham County records, south 01° 52' 30" west 395.80 feet to the point of beginning; thence south 88° 32' 10" east 99.53 feet; thence south 01° 52' west 432.91 feet; thence north 88° 08' west 230.0 feet; thence south 01° 52' west 60 feet; thence north 88° 08' west 810.0 feet to the east ROW line of Pennsylvania Avenue; thence along said ROW line north 01° 52' east 485.60 feet to the south ROW line of Orchard Street; thence along said ROW line south 88° 32' 10" east 940.50 feet to the point of beginning, subject to any rights-of-way or easements of record, containing 2.2 acres +/-; and

Whereas, the Planning Board, at their meeting of April 2, 1985, recommended that the special land use (SLU-33-84) be approved subject to conditions, and

Whereas the Physical Development Committee, at their meeting of May 8, 1985 reviewed the report of the Planning Board and concurred therewith,

Now, therefore be it resolved that the Council of the City of Lansing hereby grants a special land use permit to allow a parking lot to continue on the above described property for the Sparrow Hospital Association, subject to the following ten conditions:

1. That a parking management plan be approved and submitted to the City by Sparrow Hospital's Board of Directors which clearly indicates the timetable for implementation of the shuttle service referred to in the Sparrow Hospital communication of February 19, 1985, a commitment of the total number of employees to be served by this shuttle service, and an identification of the hours of operation of the service.

2. That Sparrow Hospital shall utilize the lot for off street parking with a minimal range of utilization of at least 110 to 125 cars parked in the lot on an average daily basis.

3. At the end of a six month trial period utilization rates of the parking lot shall be submitted to and verified by the Department of Planning and Municipal Development.

If parking utilization is at or above the 100 to 125 average cars per day range, then use of the parking lot will continue on the basis of six month reviews of the minimum utilization rates.

If utilization rates fall below the minimum requirement, the Special Land Use authorization will automatically revert to the Planning Board for reconsideration. The reconsideration will take the form of revocation of the permit, or modification of the parking management plan to increase utilization of the lot.

4. If the special land use permit is revoked, Sparrow Hospital shall return the land to its original condition within three (3) months.

5. Ingress and egress to the parking lot shall be limited to the existing access drive to the south of the site.

6. A gravel surface shall be used and maintained in a dust free manner and the City Engineer will review the lot periodically for soil erosion.

7. Landscaping, screening, and buffering shall be installed in accord with a plan approved by the Planning Division. This Plan shall address the following concerns:

- a. preservation of existing trees,

- b. appropriate fencing and lighting and substantial buffer from existing residential areas and a pedestrian walkway from Orchard Street through the Eastern High School complex.

8. The temporary use of off street parking shall be for a period of two (2) years following the date of approval by the Lansing City Council.

9. The State of Michigan shall be notified of this action.

10. The lot will be maintained properly, including grass trimming, trash pick up, etc. and shall be monitored by the appropriate agencies. In addition, the Planning Division will provide the Eastside Neighborhood Organization with adequate contacts concerning maintenance responsibilities, and

Be It Further Resolved that the Council of the City of Lansing hereby authorizes the establishment of a Planning Committee composed of representation from the Eastside Neighborhood Organization, City Council and the Planning Division with a long range goal of resolving the parking problems associated with Sparrow Hospital.

By COUNCILMEMBER BELEN—

That this resolution be amended in the last paragraph to read "Sparrow Hospital" in place of City Council.

Carried.

Councilmember Blair returned to the meeting.

The resolution as amended was adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

#0198

Resolved by the City Council of the City of Lansing:

Whereas, pursuant to Section 36-15 and in accordance with Section 36-21.3 of the Lansing Zoning Code the petitioner has requested a Special Land Use Permit to erect two new greenhouse structures on the premises known as 1434 E. Jolly Road and more particularly described as:

Commencing at the north ¼ post, Section 3; thence east to a point 412.5 feet west of the westerly line MCRR right-of-way, south 891.5 feet, west 400 feet, south 500 feet, west to a point 150 feet west of north/south ¼ line, south 125 feet, west 510 feet, north to north section line, east to beginning except Battenfield Sub. #2 and Battenfield Sub. #3, T3N, R2W, City of Lansing, Ingham County, Michigan, and

Whereas, the Planning Board held a public hearing on Tuesday, April 2, 1985 and following the public hearing recommended approval of the special land use. The Board found that the request is in substantial conformance with Section 36-15.1(6)(a) to (c). However, it was also found that dust and erosion are a problem because the parking lot is unpaved, and therefore, the Planning Board recommended approval of the Special Land Use Permit provided adequate parking spaces are paved to meet the minimum code requirements for this use, and

Whereas, the Physical Development Committee has reviewed this recommendation and concurs therewith,

Now, therefore be it resolved, that a Special Land Use Permit for 1434 E. Jolly Road to construct two new greenhouses be granted subject to the paving of a parking lot adequate to serve the entire use.

Adopted by the following vote:

Unanimously.

PUBLIC IMPROVEMENT I

By COMMITTEE ON PHYSICAL DEVELOPMENT—

#0199

Resolved by the City Council of the City of Lansing:

That it is hereby determined to be a public necessity to construct curb and gutter and necessary storm drainage on Dunlap Street from Viking to Ingham Streets.

That a petition (See Petition #CG-2-85 on file with the City Clerk) signed by 58% of the benefited owners and signed by owners of 62% of the benefited frontage.

That the Department of Public Service be and is hereby directed to cause to be prepared so far as necessary, diagrams and plats of the whole of said district, and/or plans and specifications for such project, and is further directed to estimate in detail the cost of said project, and furnish said information to the Council.

Adopted by the following vote:

Unanimously.

PUBLIC IMPROVEMENT II

By COMMITTEE ON PHYSICAL DEVELOPMENT—

#0200

Resolved by the City Council of the City of Lansing:

That the plans and specifications returned by the Department of Public Service in pursuance of the resolution of this Council:

Resolutions dated 7/16/84 and 5/6/85, being P.S. #65106 C&G & Nec. storm sewer, benefiting all lands fronting on Christiansen Road from Reo Road to Pierce Road excepting all public streets and alleys and other lands deemed not benefited;

#0201

Resolution dated 5/6/85, being P.S. #85044 C&G, benefiting all lands fronting on Southfield Avenue from Daft Street to Yunker Street excepting all public streets and alleys and other lands deemed not benefited;

#0202

Resolution dated 5/6/85, being P.S. #54084, C&G & Nec. storm sewer, benefiting all lands fronting on Ingham Street from Holmes road to Fauna Avenue, excepting all public streets and alleys and other lands deemed not benefited;

#0203

Resolution dated 5/13/85, being P.S. #54095, C&G & nec. storm sewer, benefiting all lands fronting on Dunlap Street from Viking St. to Ingham Street, excepting all public streets and alleys and other lands deemed not benefited;

Be received, approved, and placed on file.

The Engineer's estimated expense of said improvements are as follows:

Project number P.S. 85046, storm sewers, intersection and city contribution - \$14,225*; assessable to property owners - \$31,875. C&G, intersection and city contribution - \$54,610*; assessable to property owners - \$69,800, for a total project cost of \$170,510.

*401-787-000-974.629 (\$2,115), 401-787-000-974.623 (\$2,110), 401-787-010-974.677 (\$10,000).

**401-900-000-974.2.

That the Purchasing Director be directed to advertise and let for bid the specifications for said project as submitted by the Department of Public Service.

That the City Assessor be, and is directed, to make special assessment installment rolls, based upon bids to be received and other related costs of construction, and return same to City Council.

This project to be known as: 1985 New Street Construction-I, PS85046.

I hereby certify that funds are available and encumbered for the City of Lansing's share of said project.

Charles S. Remenar
Deputy Controller

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinances of the City of Lansing, Michigan providing that the Code of Ordinances be amended by:

a. Repeal of Chapter 2A containing sections numbered 2A-1 through 2A-34, inclusive, for the purpose of updating the City of Lansing Code of Ordinances.

b. Repeal of Chapter 24 for the purpose of updating the ordinance pertaining to Peddlers, Solicitors, Transient Merchants and Street Musicians.

c. Adding a new Chapter 24 containing Sections numbered 24-1 through 24-29 for the purpose of updating the ordinance pertaining to Peddlers, Solicitors, Transient Merchants, and Street Musicians.

d. Repeal of Chapter 30 for the purpose of consolidating the Ordinance concerning regulation of taxicabs with Chapter 33 regulating vehicles for hire.

e. Repeal of Chapter 33 for the purposes of updating regulations pertaining to Vehicles for Hire.

f. Adding a new Chapter 33 containing Sections 33-1 through 33-30 for the purpose of updating the ordinance regulating Vehicles for Hire.

were introduced by COUNCILMEMBER WORTHINGTON, read a first and second time by their titles, and referred to the Committee on General Services.

By COUNCILMEMBER WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That a public hearing be held at 7:00 p.m. on Monday, May 20, 1985 in the City Council Chambers, 10th floor City Hall, for the following ordinances:

a. Repeal of Chapter 2A containing sections numbered 2A-1 through 2A-34, inclusive, for the purpose of updating the City of Lansing Code of Ordinances.

b. Repeal of Chapter 24 for the purpose of updating the ordinance pertaining to Peddlers, Solicitors, Transient Merchants and Street Musicians.

c. Adding a new Chapter 24 containing Sections numbered 24-1 through 24-29 for the purpose of updating the ordinance pertaining to Peddlers, Solicitors, Transient Merchants, and Street Musicians.

d. Repeal of Chapter 30 for the purpose of consolidating the Ordinance concerning regulation of taxicabs with Chapter 33 regulating vehicles for hire.

e. Repeal of Chapter 33 for the purposes of updating regulations pertaining to Vehicles for Hire.

f. Adding a new Chapter 33 containing Sections 33-1 through 33-30 for the purpose of updating the ordinance regulating Vehicles for Hire.

Adopted by the following vote:

Unanimously.

ORDINANCES

By COUNCILMEMBER BELEN—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at: Z-7-85 — Northwest corner of Cedar St. and Edgewood Blvd. to be rezoned from "DM-1" Multiple District to "F" Commercial District, and recommended that the ordinance be passed.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at: Z-7-85 — 6200 Block of S. Cedar St.; Northwest corner of Cedar St. and Edgewood Blvd. to be rezoned from "DM-1" Multiple District to "F" Commercial District, be placed on order of immediate passage.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at: Z-7-85 — 6200 Block of S. Cedar St.; Northwest corner of Cedar St. and Edgewood Blvd. to be rezoned from "DM-1" Multiple District to "F" Commercial District, be now passed.

Adopted by the following vote:

Unanimously.

Ordinance #2154

An Ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing Ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing be amended to provide as follows:

To change the zoning classification on the property described as follows: Case Number Z-7-85, 6200 Block of South Cedar Street; northwest corner of Cedar Street and Edgewood Boulevard, parcel numbers 3305-09-226-021 and 3305-09-226-015.

Legal Description: Part of the NE ¼ of Sec. 9 and NW ¼ Sec. 10 T3N, R2W, City of Lansing, Ingham County, Michigan described as: Commencing at the SW corner of said Sec. 10; thence north 00° 03' 22" west, 1422.16 feet; thence north 68° 38' 48" east 1532.18 feet to the survey line of Highway U.S. 127; thence north 27° 58' 02" west along said survey line 2318.37 feet; thence north 85° 22' 34" west 71.21 feet to a point on the southwesterly right-of-way line of Cedar Street and the point of beginning; thence north 27° 58' 02" west along said ROW line 412.09 feet to a point of ending of free access ROW and the pt. of beg. of limited access ROW; thence north 27° 58' 02" west 680.80 feet to a point of ending of limited access and the point of

beginning of free access ROW; thence south 62°01'58" west 60.00 feet; thence south 09°14'18" east 100.00 feet; thence south 28°13'10" west 100.00 feet; thence south 56°42'10" west 78.18 feet; thence south 48°12'29" west 100.00 feet; thence south 32°29'32" west 100.00 feet thence south 16°46'35" west 100.00 feet; thence south 01°03'38" west 100.00 feet; thence south 14°39'18" east 100.00 feet; thence south 30°22'15" east 100.00 feet; thence south 46°05'12" east 100.00 feet; thence south 61°48'09" east 100.00 feet; thence south 77°31'06" east 100.00 feet; thence south 85°22'34" east 487.48 feet to the point of beginning, except for a 300 foot wide strip of land lying westerly of and parallel with the westerly line of Cedar Street, which is currently zoned "F" Commercial, and,

Parcel A - Commencing at the E ¼ cor. of said Sec. 9; thence north 0° 25' 32" west 1250.51 feet; thence north 62° 01' 58" east, 76.42 feet to point of beginning of Parcel A; thence north 27° 58' 04" west 153.43 feet; thence south 85° 22' 36" east 284.85 feet; thence south 62° 01' 58" west 240.00 to point of beginning.

Parcel B - Com. at as ¼ corner said Sec. 9; thence north 0° 25' 32" west 1250.51 feet; thence north 62° 01' 58" east 76.42 feet; thence north 27° 58' 04" west 153.43 feet; thence north 85° 22' 36" west 202.63 feet; thence north 77° 31' 08" west 100.00 feet; thence north 61° 48' 11" west 100.00 feet; thence north 46° 05' 14" west 100.00 feet; thence north 30° 22' 17" west 100.00 feet; thence north 14° 39' 20" west 100.00 feet; thence north 1° 03' 36" east 100.00 feet; thence north 16° 46' 33" east 100.00 feet; thence north 32° 29' 30" east 100.00 feet; thence north 48° 12' 27" east 100.00 feet; thence north 56° 42' 08" east 78.18 feet; thence north 28° 13' 08" east 100.00 feet; thence north 9° 14' 20" west 100.00 feet to point of beginning of Parcel B; thence north 25° 30' 02" west 72.39 feet; thence north 66° 01' 38" east 68.16 feet; thence 67.64 feet along a curve to the left, radius 2907.93 feet chord bearing south 25° 30' 02" east 67.64 feet; thence south 62° 01' 56" west 68.20 feet to point of beginning.

from "Dm-1" Residential District to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMEMBERS BENAVIDES, ADADO, AND LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter received from the Lansing Everett Kiwanis Club with check of \$120.00 enclosed to be applied to the match fund grant/City of Lansing Budget for city trees to be planted at Quentin Park.

Received and placed on file with check to Mayor.

Petitions received from residents to close the West Entrance to Gier Park from Harris St. for the safety of children and neighborhood residents.

Referred to the Mayor, Committee on Public Properties and Safety, and the Park Board.

DATE: 5/10/85

TO: Council President Charles Creamer and City

Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Public Service Department.

RE: Temporary closing of Waverly Rd. (between Holmes Rd. and Moores River Dr.)

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

DATE: 5/10/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Building Safety Department

RE: Demolition of Michigan National Parking Garage.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER LINDEMANN—

That we concur in the recommendation of the Mayor and permission be granted for the contractor to work on weekends for the demolition of Michigan National Parking Garage.

Carried.

By COUNCILMEMBER LINDEMANN—

That the Committee on Public Properties and Safety be discharged of this item for Vacating Depot St.

Carried

By COUNCILMEMBER LINDEMANN— #0204

Resolved by the City Council of the City of Lansing:

Whereas, the City's Property Manager has requested a vacation of a portion of Depot Street north of Michigan Avenue as a dedicated public right of way, and

Whereas, there are plans to develop this segment of Depot Street for purposes of a Convention/Exposition Hall, and

Whereas, the City of Lansing holds title to the property on which Depot Street is situated, and

Whereas, the Planning Board has reviewed under Act 285 of Public Act 131, as amended, the impact of vacating this portion of Depot Street and has recommended its vacation,

Now Therefore Be It Resolved that the Lansing City Council hereby vacates that portion of Depot Street commencing at the Southwest corner of Lot 5, Block 1, Downer's Subdivision on Lot 7, Block 245, Original Plat, City of Lansing, thence west 20 feet along the north line of East Michigan Avenue, thence north 120 feet, east 20 feet, south 120 feet to point of beginning, and

Be it finally resolved that the City Clerk file this resolution of vacation for official recording with all the appropriate local and State governmental agencies.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER LINDEMANN— #0205

Resolved by the City Council of the City of Lansing:

Whereas, the City's Property Manager has requested a vacation of Mill Street north of Michigan Avenue and east of Cedar Street as a dedicated public right of way, and

Whereas, there are plans to develop this segment of Mill Street for purposes of a Convention/Exhibition Hall, and

Whereas, the City of Lansing holds title to the property on which Mill Street is situated, and

Whereas, the Planning Board has reviewed under Act 285 of Public Act 1931, as amended, the impact of vacating this portion of Mill Street and has recommended its vacation,

Now Therefore Be It Resolved that the Lansing City Council hereby vacates that portion of Mill Street described as that part of Block 245, Plat of the Town of Michigan, lying on the northeast $\frac{1}{4}$ of Section 16, T4N, R2W, City of Lansing, Ingham County, Michigan, beginning on the west right of way line of Cedar Street at a point N89° 58' 20" W 1063.80 feet and N05° 21' E 790.75 feet from the east $\frac{1}{4}$ corner of said Section 16; thence southwesterly 653.44 feet along the arc of 385.57 foot radius curve to the left whose chord bears S41° 32' 17" W 578.0 feet to a point of tangency, thence S7° 00' 46" E 10.25 feet; thence N89° 58' 20" W 8.71 feet; thence S7° 00' 46" E 111.71 feet; thence S82° 59' 14" W 1.0 foot; thence S7° 00' 46" E 39.31 feet to the northerly right of way line of the 30 foot alley platted in Downer's Subdivision, recorded in Liber 1 of Plats on Page 37, Ingham County Records; thence along said right of way N89° 58' 20" W 40.30 feet; thence N17° 18' 32" W 181.75 feet to the north line of Lot 7 of said Block 245; thence along said north line S89° 58' 20" E 5.01 feet; thence S24° 26' 12" E 37.25 feet; thence N7° 00' 46" W 12.59 feet to a point of curvature, thence northeasterly 765.30 feet along the arc of a 451.57 feet radius curve to the right whose chord bears N41° 32' 17" E 676.94 feet to the east right of way line of Cedar Street; thence S05° 21' W 66.0 feet to the point of beginning, containing 1.277 acres of land, more or less, more commonly known as Mill Street, and

Be It Finally Resolved that the City Clerk file this resolution of vacation for official recording with all the appropriate local and State governmental agencies.

Adopted by the following vote:

Unanimously.

#0206

Resolution approving Project Plan and Bonds
Michigan Theatre Renovation Project
a/k/a/ Atrium Office Partners Project

Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held at 7:00 o'clock p.m., Michigan Time, on May 13, 1985, at which the following members were present: Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, and Worthington, and the following were absent: None.

The following preamble and resolution were offered by Councilmember Adado, and supported by Councilmember Belen:

Whereas, this City Council has given notice pursuant to Section 17 of Public Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), of a public hearing which was held on April 29, 1985, relative to (i) the Michigan Theatre Renovation Project a/k/a Atrium

Office Partners Project (the "Project") of the Economic Development Corporation of the City of Lansing (the "Issuer") and (ii) the proposal that the Issuer issue and sell approximately \$4,100,000 limited obligation revenue bonds (the "Bonds") to finance the Project, and

Whereas, at said public hearing, the fullest opportunity was given for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the Project Plan and the Bonds, and further, this City Council has given due consideration to all communications received in writing with reference thereto, and

Whereas, the City Council made and preserved a record of the public hearing, including all data presented thereat, and

Whereas, this City Council desires to express its approval of said Bonds, the Project Plan, and the Project described therein, and wishes to request the Issuer to proceed with the Project and the issuance of the Bonds.

Now, Therefore Be It Resolved by the City Council of the City of Lansing as follows:

1. It is hereby determined that the Project Plan for the Project as presented constitutes a public purpose within the meaning of the Act and said Project Plan is hereby approved in its entirety based on the following considerations:

(a) The Project Plan meets the requirements set forth in Section 8 of the Act.

(b) The persons who will be active in the management of the Project for not less than one year after the approval of the Project Plan have sufficient ability and experience to manage the Plan properly.

(c) The proposed method of financing the Project is feasible and the Issuer has the ability to arrange the financing.

(d) The Project is reasonable and necessary to carry out the purposes of the Act.

2. By adoption of this resolution approving the Project Plan, this City Council intends to and hereby expressly does approve the issuance, sale, and delivery of the Bonds as is required by Section 103(k) of the Internal Revenue Code of 1954, as amended.

3. The Economic Development Corporation of the City of Lansing is hereby requested to proceed with the Project and the financing thereof.

4. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

5. The City Clerk is hereby directed to provide four certified copies of this resolution to the Secretary of the Issuer.

YEAS: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington.

NAYS: None

ABSTENTIONS: None

Resolution declared adopted.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on the 13th day of May, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

Rita Bauman
Lansing City Clerk

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE— #0207

Resolved by the City Council of the City of Lansing:

Whereas, Olivia Letts will be retiring in June after 34 years of service with the Lansing School District, and

Whereas, in 1951 she courageously continued her teaching career here in Lansing as the first black woman teacher in the Lansing District, and

Whereas, Olivia Letts, a native Chicagoan, soon proved her mettle and became known to both her colleagues and the community at large as one of the very finest educators in the system, and

Whereas, during her tenure with the School District she earned both her Masters and her Doctoral degrees at Michigan State University, and

Whereas, she is retiring as the overall director of Elementary Education for the entire district,

Now Therefore Be It Resolved, the City Council of the City of Lansing hereby officially applauds and salutes Olivia Letts on her remarkable achievements and significant contribution to this community, and

Be It Further Resolved, on behalf of all those whose lives have been touched by her pedagogy as well as her warm and caring personality, we wish Olivia Letts a long, happy, and challenging retirement.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

#0208

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 7000 S. Cedar, Lansing, Michigan, legally described as:

7000 S. Cedar, Lots 81, 82, 83, and 84, Just-A-Mere Farm Sub, 3305-10-376-311-7,

was an unsafe or dangerous building, as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan, and

Whereas, a hearing was held by the Hearing Officers on February 28, 1985, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe, and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan, and

Whereas, the City Council scheduled a hearing on April 22, 1985, to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe,

Now Therefore Be It Resolved, that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building, and

Be It Further Resolved, that the owners are hereby directed to comply with the order of the hearing Officers to demolish or otherwise make safe the said building within ninety (90) days from the date of this resolution, and

Be It Further Resolved, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building, and

Be It Further Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor, who shall assess the same against the property upon which the building is presently located, and

Be It Finally Resolved, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

REMARKS BY THE MAYOR

Pick up of brush and debris report, 94 violations pulled and 540 pickups made.

REMARKS BY THE CITY COUNCIL

Councilmember Belen spoke regarding General Motors drive for food for the Food Bank. Also announced the open house to be held Sunday at the City Rescue Mission.

Councilmember Schmidt asked for No Parking Signs to be removed on Devonshire Ave. from Mt. Hope Ave. south to the Lansing General Hospital.

Councilmember Adado questioned new Exhibition Center seating for Musical shows and events.

Councilmember Blair asked questions regarding helicopter use in the Police Department.

Councilmember Benavides remarked about rubbish being dumped in McKinch Park.

Robert Lannen, South side resident, spoke regarding information of which he previously spoke to Council about not being available for purchase at the news store.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:10 P.M.

RITA BAUMAN,
City Clerk

May 13, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

212

Proceedings, May 20, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

May 20, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None-0.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Benavides

Pledge of allegiance was lead by Headquarters Co., Michigan National Guard, who conducted the flag ceremony.

By COUNCILMEMBER BENAVIDES—

That the council proceedings of April 22, 1985 be approved and Carried.

The Sexton High School Ensemble, under the direction of Verna Holly, performed for Michigan Week.

PROCLAMATION

Whereas, Michigan Week started in a small way more than two decades ago and has grown into a unique tradition which is observed in communities of both Michigan's peninsulas, involving hundreds of people who give unselfishly of their time and effort to help their State, promoting its assets in every possible way, and

Whereas, Michigan Week is important to all of us, because it causes us to take an interest in our State, to be aware of what is happening in Michigan's communities, and

Whereas, "Rediscover Michigan" is the theme for the 32nd Annual Observance of Michigan Week, once again giving each of us an opportunity to express our pride in Lansing and in Michigan itself, and

Whereas, in recognition of Michigan Week, we will observe Saturday, May 18, as Home Town Day; Sunday, May 19, as Heritage Day; Monday, May 20, as Government Day; Tuesday, May 21, as Agriculture Day; Wednesday, May 22, as Commerce Day; Thursday, May 23, as Education Day; Friday, May 24, as Travel/Tourism Day; and Saturday, May 25, as Family Day,

Now, Therefore, I, Terry J. McKane, Mayor of the City of Lansing, by the power vested in me, do hereby proclaim the week of May 18 through May 25, 1985, as, MICHIGAN WEEK in the City of Lansing, and I urge all local citizens to demonstrate their pride in their home state and ask citizens of all ages to work together for its success.

Given under my hand and the Seal of the City of Lansing this thirteenth day of May in the year of our Lord one thousand nine hundred and eighty-five.

Terry J. McKane
Mayor

PROCLAMATION

Whereas, Colin and Mary Ann McCormick were blessed on May 22, 1880, when Nellie became part of their lives, and

Whereas, Nellie McCormick spent her childhood in Owosso, later to graduate from the University of Michigan, and

Whereas, Nellie began her teaching career in Portland in 1903. She also taught in Cadillac, Big Rapids, Lansing Central, and at Sexton High School from 1943 to 1949, and

Whereas, she has been a class advisor for many classes and has been invited to numerous reunions,

Now, Therefore, I, Terry J. McKane, Mayor of the City of Lansing, by the power vested in me, do hereby proclaim Wednesday, May 22, 1985, as NELLIE McCORMICK DAY in Lansing, and urge all citizens in this community to join with me in wishing this outstanding lady a very happy 105th birthday!

Given under my hand and the Seal of the City of Lansing this seventeenth day of May in the year of our Lord one thousand nine hundred and eighty-five.

Terry J. McKane
Mayor

PUBLIC HEARING

May 20, 1985 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Industrial Plant Rehabilitation District for 2423 S. Cedar Street filed by Art C. Baryames.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Industrial Plant Rehabilitation District, they had the privilege of speaking at this time.

Referred to the Committee on Economic Development.

PUBLIC HEARING

May 20, 1985 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed make-safe or demolish property located at 312 S. Pennsylvania Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed make-safe or demolish property they had the privilege of speaking at this time.

William Gempel, owner of property, spoke in opposition to demolishing the property.

Referred to the Committee on General Services.

PUBLIC HEARING

May 20, 1985 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed make-safe or demolish property located at 630 Park Place.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed make-safe or demolish property they had the privilege of speaking at this time.

Referred to the Committee on General Services.

PUBLIC HEARING

May 20, 1985 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed make-safe or demolish property located at 1211 Leslie Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed make-safe or demolish they had the privilege of speaking at this time.

Referred to the Committee on General Services.

PUBLIC HEARING

May 20, 1985 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed repeal of Chapter 2A containing sections numbered 2A-1 through 2A-34, inclusive, for the purpose of updating the City of Lansing Code of Ordinances.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed repeal of Chapter 2A they had the privilege of speaking at this time.

Referred to the Committee on General Services.

PUBLIC HEARING

May 20, 1985 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed repeal of Chapter 24 for the purpose of updating the ordinance pertaining to Peddlers, Solicitors, Transient Merchants, and Street Musicians.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed repeal of Chapter 24 they had the privilege of speaking at this time.

Referred to the Committee on General Services.

PUBLIC HEARING

May 20, 1985 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Adding a new Chapter 24 containing Section numbered 24-1 through 24-29 for the purpose of updating the ordinance pertaining to Peddlers, Solicitors, Transient Merchants, and Street Musicians.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Ordinance they had the privilege of speaking at this time.

Referred to the Committee on General Services.

PUBLIC HEARING

May 20, 1985 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed repeal of Chapter 30 for the purpose of consolidating the Ordinance concerning regulation of taxicabs with Chapter 33 regulating vehicles for hire.

The Council President announced that if there was anyone present who had any suggestions or objections

to make to the proposed repeal of Chapter 30 they had the privilege of speaking at this time.

Referred to the Committee on General Services.

PUBLIC HEARING

May 20, 1985 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed repeal of Chapter 33 for the purpose of updating regulations pertaining to Vehicles for Hire.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed repeal of Chapter 33 they had the privilege of speaking at this time.

Referred to the Committee on General Services.

PUBLIC HEARING

May 20, 1985 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Adding a new Chapter 33 containing sections numbered 33-1 through 33-30 for the purpose of updating regulations pertaining to Vehicles for Hire.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance they had the privilege of speaking at this time.

Referred to the Committee on General Services.

PUBLIC HEARING

May 20, 1985 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Deletions from the City Code through the recodification process.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed deletions from City Code they had the privilege of speaking at this time.

Referred to the Committee on General Services.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Mary Smith, 3100 N. Cambridge Road, spoke regarding Communication #7 - concerns over the Scott Park Art and Garden Center.

Councilmember Lindemann left the meeting.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for approval:

Public Driver: Bryan Sturdivant, Brian Joseph Harte, Steven J. Grob.

Second Hand Dealer: Pennell Sales, Inc., Action Discount House and Second Hand Store.

Building Wrecker: E.T. MacKenzie Co.
Amusement: Master Rides.

Referred to the Committee on General Services.

Suits filed in Circuit Court by:

a. Harold K. Tarno v. Edward Gregory Kluge and City of Lansing regarding demolishing of property at 325 Carey Street.

b. Judy L. Jones v. City of Lansing and 54-A District Court regarding termination from employment.

Referred to the Mayor and City Attorney.

Petitions filed for rezoning:

a. Z-15-85 - 1321 W. Holmes Road to be rezoned from "A" Residential District to "F" Commercial District filed by Charles D. Patterson.

b. Z-16-85 - 2726 N. Grand River Avenue to be rezoned from "J" Parking and "F" Commercial Districts to "A" Residential District filed by the City of Lansing.

Referred to the Mayor and Planning Board.

Councilmember Lindemann returned to the meeting.

Petition filed for Special Land Use SLU-8-85 - 900 Holten Street to be used as residential care facility for two adults.

Referred to the Mayor and Planning Board.

Letter from Joan Walker, 3640 Lansing Road, requesting sidewalks along Waverly Road connecting bridge with either side.

Referred to the Mayor.

Request from Bank of Lansing for June 9-15, 1985 be proclaimed "Arts Week in Downtown Lansing."

Referred to the Mayor.

Letter from Mary Ann Smith, President, the Garden Club of Greater Lansing, for permission to speak regarding concern over the Scott Park Art and Garden Center.

Received and placed on file.

Congressman Howard Wolpe submits letter regarding Federal Budget Resolution FY-86.

Received and placed on file.

Ingham County Board of Commissioners submits request for use of Civic Center and co-sponsorship of Diagnostic Community Conference to be held on September 12 and 13, 1985.

Referred to the Mayor.

MAYOR OR HIS EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:

Mayor's letters 4d (Satellite location for payment of meter violations), 4l (Resignation from Civic Center Board), 4m (Appointment to the Board of Fire Commissioners) and 4s (Feasibility Study to accommodate traffic, pedestrian mobility, and parking on Michigan Avenue.)

REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

Public Driver: Bryan Sturdivant, Brian Joseph Harte, Steven J. Grob.

Second Hand Dealer: Pennell Sales, Inc., Action Discount House and Second Hand Store.

Building Wrecker: E.T. MacKenzie Co.
Amusement: Master Rides.

Signed

Sidney Worthington
Charles Creamer
Alfreda Schmidt
Committee on General Services

By COUNCILMEMBER WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The Committee on Public Properties and Safety, to whom was referred the question of enforcement of trash container ordinance (storage and removal of refuse), reports as follows:

On February 4, 1985, the City Council passed an amendment to Chapter 16 of the Code of Ordinances controlling the manner in which refuse material is stored and removed from commercial and some residential properties. The three questions for the administration which were generated in the committee are as follows:

1. What measures has the administration taken regarding the enforcement of this ordinance?
2. What city departments are involved in this effort?
3. What, if any, additional resources are needed to ensure the enforcement of this ordinance?

Signed,

James Blair
Louis Adado
Committee on Public Properties and Safety

By COUNCILMEMBER LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The Committee on Physical Development, to whom was referred the Ordinance revising sections 27-35 and 27-35.1 to provide for an increase in wastewater rates required for the existing operation and maintenance of the system and to comply with the EPA and NPDES permit rules and regulations.

Signed,

Lucile Belen
Charles Creamer
Tony Benavides
Committee on Physical Development

By COUNCILMEMBER BELEN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The Committee on Physical Development, to whom was referred the following rezoning petitions:

Z-6-85 - 402 Rockford Rd./401 Lincoln St. to be rezoned from "A" Residential District to "J" Parking District filed by George Coscarelli.

Z-8-85 - Vacant lot east of 709 S. Pennsylvania Ave. to be rezoned from "C" Residential District to "F" Commercial District filed by Clare and Ann Simon.

Z-10-85 - 117 N. Fairview, 116 N. Clemens, and a portion of public alley adjacent to 116 N. Clemens to be rezoned from "B" Residential to "J" Parking District filed by City of Lansing.

Z-11-85 - 1201 W. Jolly Rd. to be rezoned from "A" Residential District to "F" Commercial District filed by Mitchel and Micheal Skory.

Z-12-85 - 1218 N. Washington Ave. to be rezoned from "C" Residential to "J" Parking District filed by Estes Furniture.

Signed,
 Lucile Belen
 Charles Creamer
 Tony Benavides
 Committee on Physical Development

By COUNCILMEMBER BELEN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

May 17, 1985

President Charles Creamer
 and Members of City Council

RE: Ellis Parking Co. v. City of Lansing
 Michigan Tax Tribunal Docket No. 83459

Dear President Creamer
 and Members of City Council

On June 28, 1983, the Ellis Parking Company filed a petition with the Michigan Tax Tribunal alleging that the assessment placed upon the parking structure located at 205 W. Allegan in the City of Lansing was assessed at a value greater than 50% of its true cash value and therefore is invalid. The assessment placed upon the subject property for 1983 by the City Assessor was \$826,500. The petitioner alleged that the assessed value should not exceed \$315,500. Subsequently, the petitioner amended its petition to include the 1984 tax year.

Pursuant to Michigan Tax Tribunal Rules, a counsel conference was held in the City Assessor's Office. Numerous documents and information were exchanged. Based upon the information received, a tentative settlement was reached between the parties. The tentative settlement proposes that the assessed value for 1983 for the subject property be \$650,000 and the assessed value for 1984 be \$600,00.

Based upon the recommendation of the City Assessor, and the economic obsolescence of the subject property, this office recommends that the tentative settlement as set forth be approved.

Respectfully submitted,

Stephen R. Sawyer
 City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City attorney and the tentative settlement for Ellis Parking Co. be approved as set forth above.

Carried.

May 17, 1985

President Charles Creamer
 and Members of City Council

RE: Insurance Deductibles

Dear President Creamer
 and Members of City Council

As you are aware, the City of Lansing's property insurance for regard to property damage is subject to a \$1000 deductible.

In recent months, the City's insurance carrier, Auto Owners Insurance Company, has requested that deductible with regard to three claims and an adverse court against the City of Lansing. The claims involved are those of Russell and Judy Clark for sewer damage

to their home, of George and June Martin for sewer damage to their home, and Gibson's Book Store for water damage to the premises they lease from the City of Lansing. The adverse legal decision is a jury verdict against the City of Lansing in the amount of \$75,476.82 in the matter of Executive Art Studios v. City of Lansing.

In all of the above matters, it is the opinion of this office that the City is responsible to pay the \$1000 deductible and, therefore, it is the recommendation of this office that payment of \$4000 to Auto Owners Insurance Company should be authorized.

Respectfully submitted,

Stephen R. Sawyer
 City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City attorney and pay the \$4000.00 to Auto Owners Insurance Co. for the above insurance deductibles for claims.

Carried.

DATE: 5/16/85

TO: City Council Members

FROM: Emerson B. Ohl

SUBJECT: Greater Lansing Board of Realtors Letter of Inducement

At the May 15, 1985 Economic Development Corporation meeting, a letter of inducement was adopted for the Greater Lansing Board of Realtors. This resolution is attached.

I request that the City Council certify its approval of the designation of the project area and to establish the project district area, and to consent to the appointment of two temporary directors to the EDC Board who shall be appointed by the Mayor.

Referred to the Committee on Economic Development.

DATE: 5/16/85

TO: City Council Members

FROM: Emerson B. Ohl

SUBJECT: Revised estimates of Captured Assessed Values for the Phase I - Lansing Convention/Exhibition Center and Associated Facilities Tax Increment Finance Plan.

On May 15, 1985, the Lansing Tax Increment Finance Authority approved a revision of the estimates of the captured assessed values for the convention hall TIFA plan. Estimates of captured assessed value form the basis for obtaining revenues from this TIFA district, which shall be used for the repayment of bonds which shall be utilized to finance a portion of the construction of the convention hall. I request, in response to the TIFA resolution attached hereto, that the City Council amend the Tax Increment Financing Development Plan for this project to include this revised estimate.

This revision has been developed through a recent reevaluation of the original captured value estimates. The original estimates, performed in January of 1983, assumed that bonds would be sold in 1984, and that the 100 block hotel would be completed by April 1985. Because these dates were found to be incorrect, a total reevaluation of the projections was undertaken.

These new estimates are based on the following assumptions:

1. The actual captured values for 1983, 1984, and

1985 should be used for this revision.

2. Estimates for the impact of the One Michigan Ave. building on the district can be replaced by actual assessments.

3. The projected assessment for the 100 block hotel shall be calculated using the income approach, rather than the construction cost method.

4. Inflation on the value of the district shall be calculated to be 2%, without compounding, beginning with 1989, applied only to real property (not personal). Prior to 1989, no inflation is projected.

5. All tax abatements were audited to verify the year at which the property is returned to the tax roll, and the projected amount to be returned to the roll.

6. The millage rate was adjusted to reflect the recent changes in operating millages by the taxing jurisdictions.

7. Projections for new developments in the TIFA district were projected to be \$3,000,000, beginning in 1987.

Based on these adjustments, the following revised estimates have been prepared. The City Assessor, his assistant, and my assistant believe that these revised estimates of captured assessed value and tax increment revenues for each year of the plan represent an accurate and realistic projection for the district. This judgement is qualified by four contingencies.

1. Failure to complete the 100 block motel.

2. A significant increase in the amount of tax exempt property in the district.

3. A reduction in the total operating millage levy of the taxing jurisdictions.

4. A major disaster, such as fire or storms, that would destroy structures in the district.

Lastly, the Council should be aware that these revisions do not require an increase in the size of the TIFA district or an increase in the duration of the TIFA plan.

At a special meeting of the City Council of the City of Lansing, Michigan, held at 7:00 p.m., Michigan Time on May 20, 1985.

PRESENT: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington.

ABSENT: None.

No. 0209

The following preamble and Resolution were offered by Member Belen and supported by Member Adado:

Whereas, the Tax Increment Finance Authority of the City of Lansing (the "Authority") has prepared and approved a First Amended Tax Increment Financing and Development Plans Phase I-Lansing Convention/Exhibition Center and Associated Facilities pursuant to Act No. 450, Public Acts of Michigan, 1980, as amended (the "Act"); and,

Whereas, the City Council has approved such First Amended Tax Increment Financing and Development Plans (the "Plans"); and,

Whereas, the Authority has recommended that this City Council amend the Plans by adopting a Revised Estimate of Captured Assessed Value and Tax Increment Revenues for each year of the Plans; and,

Whereas, the Plans contemplate the issuance of Bonds by the Authority and the Authority has heretofore adopted a Bond Resolution on January 11, 1984 and a

First Amendment to Bond Resolution on August 1, 1984; and,

Whereas, the Authority has also adopted a Second Amendment to Bond Resolution on May 15, 1985 in order to (i) reduce the amount of Bond proceeds to be capitalized for interest payments on the Bonds; (ii) change the date of the Bonds from August 1, 1984 to March 1, 1985, and (iii) provide that the net interest cost on the Bonds shall not exceed 10% per annum, all as set forth in such Second Amendment to Bond Resolution.

Now, therefore be it resolved by the City Council of the City of Lansing, as follows:

1. The Revised Estimate of Captured Assessed Value and Tax Increment Revenues for each year of the Plans as presented to this Council on this date is hereby adopted as an amendment to the Plans.

2. Copies of the Revised Estimate shall be attached to the Plans and to the minutes of this meeting.

3. The resolutions of this City Council adopted on January 16, 1984 and August 13, 1984 pledging the full faith and credit of the City of Lansing for the payment of principal and interest on the Bonds of the Authority are hereby ratified and confirmed and shall apply with equal force and effect to the Bonds as authorized and issued pursuant to the Second Amendment to Bond Resolution adopted by the Authority on May 15, 1985.

4. The City Clerk is hereby directed to forward three certified copies of this resolution to the Secretary of the Authority.

5. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

YEAS: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington.

NAYS: None.

ABSTENTIONS: None.

Resolution declared adopted.

I hereby certify that the foregoing is a complete copy of a resolution adopted at a special meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on May 20, 1985, and that the minutes of said meeting are on file at the office of the City Clerk and are available to the public. Notice of the meeting was given pursuant to and in compliance with Act 267, Public Acts of Michigan, 1967.

Rita Bauman
City Clerk

DATE: 5/14/85

TO: President Creamer and Members,
Lansing City Council

FROM: Police Chief Richard Gleason

SUBJECT: Parade Application - Lansing Parks and Recreation - 4th of July.

Attached is an application for a parade permit from the above-referenced organization, scheduled for 10:00 a.m. on Thursday, July 4, 1985, which has been approved by all the necessary departments.

Our personnel estimate this will cost the City a total of \$908.76, which represents one Sergeant, ten Police Officers, and eleven vehicles for three hours.

This is being sent to you for final action.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Police Chief and this parade permit be approved.

Carried.

Councilmembers Lindemann and Worthington left the meeting.

DATE: 5/16/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Quarterly Report of Convention/Visitors Bureau of Greater Lansing

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

DATE: 5/15/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division.

RE: Satellite Location for Payment of Meter Violations

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 5/15/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division.

RE: Ingham St. and Dunlap St.: Stop Sign Request
Ingham St. and Fauna St.: Stop Sign Request

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 5/15/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division.

RE: Fenton Street: No Parking Request

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 5/15/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division.

RE: Request to remove No Turn on Red restriction at Grand/River/Washtenaw

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 5/15/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division.

RE: Traffic Code Revision: Section 31-177
One Way Streets and Alleys Schedule I

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 5/15/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Building Safety Division.

RE: Request for Public Hearing - 302 South Larch

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and a public hearing be set for June 10, 1985 on this make-safe or demolish property at 302 S. Larch.

Carried.

May 14, 1985

President Charles Creamer and Members of Lansing City Council

RE: Smedley-Coolidge Drain Improvements

Dear President Creamer and Members of City Council:

Attached is a petition from the Ingham County Drain Commissioner requesting the City of Lansing to participate in the cost of improvements to the Smedley-Coolidge Drain.

The Smedley-Coolidge Drain originated in the vicinity of Wood Street and Lake Lansing Road. The drain serves the parts of the City of Lansing north of Hopkins Avenue, south of Lake Lansing Road, east of Wood Street, and west of US-127. Intermittent flooding has occurred along the drain because vegetation within the drain channel has restricted the flow path. The flooding has endangered homes adjacent to the drain.

The Ingham County Drain Commission has conducted an investigation on the clean-out of the drain. The investigation has resulted in a report that includes recommended clean-out procedures as well as cost-estimates and a distribution of these costs among the three affected units of government, the City of Lansing, the City of East Lansing, and Lansing Township.

The estimated cost and participation by each governmental agency is as follows:

Estimated Construction Cost	\$129,000.00
Contingency	\$11,000.00
Engineering	\$20,000.00
Total	\$160,000.00

Jurisdiction	Area (Acres)	%	Total Cost
East Lansing	459	57	\$ 91,200.00
Lansing	194	24	\$ 38,400.00
Lansing Township	81	10	\$ 16,000.00
MDOT	69	9	\$ 14,400.00
Totals	803	100%	\$160,000.00

The City of Lansing has appropriated funds for said improvements within the fiscal year 1985-86 budget in the amount of \$43,500.00 - Account Number 401-787-000-974.631.

I recommend that the City of Lansing participate in the improvements to said drain and request your approval to sign the petition as submitted on behalf of the City of Lansing. A resolution is attached for your action.

Respectfully submitted,

Terry J. McKane
Mayor

Received and placed on file - Resolution on the Agenda.

DATE: 5/15/85

TO: Council President Charles Creamer
and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Finance Director.

RE: Transfer of funds.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Ways and Means.

DATE: 5/15/85

TO: Council President Charles Creamer
and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Jean Tubbs.

RE: Resignation from Civic Center Board.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

May 16, 1985

Council President Charles Creamer
and Lansing City Councilmembers

Dear President Creamer
and City Councilmembers:

I herewith submit to you for your consideration and confirmation the appointment of Jean Tubbs to the Board of Fire Commissioners. She will fill an unexpired term ending June, 1987.

Mrs. Tubbs is an Ingham County Commissioner and served on the Civic Center Board.

I trust you will give careful consideration to the appointment of Jean Tubbs to the Board of Fire Commissioners.

Best personal regards.

Sincerely,
Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 5/15/85

TO: Council President Charles Creamer
and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning and Municipal Development.

RE: Trash Removal Assessment (U-28) July 1985 Tax
Roll \$2,850.64.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and this Trash Removal Assessment in the amount of \$2,850.64 be placed on the July 1985 Tax Roll (U-28).

Carried.

DATE: 5/16/85

TO: Council President Charles Creamer
and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning and Municipal Development.

RE: Trash Removal Assessment -(U-28) July 1985 Tax
Roll \$3,129.08.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and this Trash Removal Assessment in the amount of \$3,129.08 be placed on the July 1985 Tax Roll (U-28).

Carried.

DATE: 5/16/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development.

RE: Trash Removal Assessment - (U-28) July 1985 Tax Roll \$3,041.68.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and this Trash Removal Assessment in the amount of \$3,041.68 be placed on the July 1985 Tax Roll (U-28).

Carried.

DATE: 5/16/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of Trash R.O.W. Removal Assessments for June, 1985 (V-10) are submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and this Trash R.O.W. Removal Assessment be placed on the June, 1985 (V-10) Tax Roll.

Carried.

DATE: 5/16/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of correspondence for your information.

RE: Annual Marshall Music Recital in Riverfront Park.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

DATE: 5/16/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of correspondence from citizens.

RE: Thank you letters for Volunteer Recognition Dinner.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

DATE: 5/16/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Administrative Services.

RE: Cost-Effectiveness of Data Processing Services.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

May 16, 1985

Council President Charles Creamer and Lansing City Councilmembers

Dear President Creamer and Councilmembers:

Today I received the attached draft Feasibility Study to Accommodate Traffic, Pedestrian Mobility, and Parking on Michigan Avenue. As you know, this study is a next step in a process initiated by SEG, a Lansing firm.

I suggest that you refer this study to an appropriated Council Committee. City and SEG staff will be pleased to make a formal presentation and answer questions at such a meeting.

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 5/16/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development.

RE: Plant Rehabilitation District Application Review

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file with copy to the Committee on Economic Development.

Councilmember Blair left the meeting.

RESOLUTIONS

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolution #0210

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial

Redevelopment District CRD-6-85, proposed by Fox and Associates, Inc. for the Northwest corner of Edgewood Boulevard and South Cedar Street, and more particularly described as:

SEE EXHIBIT A

Now Therefore Be It Resolved, that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District, and

Be It Further Resolved, that such hearing be held at the Council Chambers in the City Hall on the 10th day of June, 1985, at 7:00 p.m., and that notice of such hearing be published in a publication of general circulation in said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Resolution #0211

Whereas, The Lansing City Council has established a Lansing Plant Rehabilitation District IPR-4-81, at 2200 Olds Avenue, and

Whereas, Industrial Welding, Inc. has applied for an Industrial Facilities Exemption Certificate for new equipment and other improvements to the facility, and

Whereas, it is necessary to hold a public hearing prior to this Council's taking action on Industrial Welding Inc.'s application for an Industrial Facilities Exemption Certificate.

Now, Therefore Be It Resolved, that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate, and

Be It Further Resolved, that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Industrial Development District IPR-4-81, and

Be It Finally Resolved, that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, June 10, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Resolution #0212

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-13-84, in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, at 2502 N. East Street, and

Whereas, Michael Nolen has submitted an application for a Commercial Facilities Exemption Certificate for renovation of the facility, within said Commercial Redevelopment District CRD-13-84, and

Whereas, a hearing was held on Michael Nolen's application for an Exemption Certificate on December 17, 1984 at which time all interested persons had an opportunity to be heard, and

Whereas, Michael Nolen has met the requirements

for said Exemption Certificate as required by Public Act 255 and by the policies of this Council, and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated March 13, 1985 attached hereto.)

Now, Therefore Be It Resolved, that the Council of the City of Lansing approves the application from Michael Nolen for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-13-84, to remain in effect for a period of four (4) years.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Resolution #0213

Whereas, by petition duly filed on March 25, 1985 this Council was petitioned to establish a Lansing Commercial Redevelopment District CRD-5-85, pursuant to Public Act 255 of 1978, and

Whereas, due notice has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 22nd of April, 1985, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is located at the Northeast corner of E. Jolly Road and Tranter Street, more particularly described as:

Beginning 158' west of the south ¼ corner of Section 34, T4N, R2W, City of Lansing, Ingham County, MI; thence north 303'; thence west 172' to the east line of Tranter St., thence south along the east line of Tranter St., 303'; thence east 172' to the point of beginning; the south 33' thereof being subject to a right of way for Jolly Road.

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for commercial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity.

Now, Therefore Be It Resolved, that the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-5-85 on the above described property.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolution #0214

Resolution Approving Project Plan and Bonds (Michigan Biotechnology Institute Project)

Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held at 7:00 o'clock p.m., Michigan Time, on May 6, 1985, at which the following members were present: Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, and Worthington, and the following were absent: Blair.

The following preamble and resolution were offered

by Councilmember Adado and supported by Councilmember Belen:

Whereas, this City Council has given notice pursuant to Section 17 of Public Act No. 338 of the Michigan Public Acts of 1974, as amended (The "Act"), of a public hearing which was held on April 29, 1985, relative to (i) the Michigan Biotechnology Institute Project (the "Project") of the Economic Development Corporation of the City of Lansing (the "Issuer") and (ii) the proposal that the Issuer issue and sell approximately \$10,000,000 limited obligation revenue bonds (the "Bonds") to finance the Project, and

Whereas, at said public hearing, the fullest opportunity was given for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the Project Plan and the Bonds, and further, this City Council has given due consideration to all communications received in writing with reference thereto, and

Whereas, this City Council made and preserved a record of the public hearing, including all data presented thereat, and

Whereas, this City Council desires to express its approval of said Bonds, the Project Plan, and the Project described therein, and wishes to request the Issuer to proceed with the Project and the issuance of the Bonds.

Now, Therefore Be It Resolved, by the City Council of the City of Lansing as follows:

1. It is hereby determined that the Project Plan for the Project as presented constitutes a public purpose within the meaning of the Act and said Project Plan is hereby approved in its entirety based on the following considerations:

a. The Project Plan meets the requirements set forth in Section 8 of the Act.

b. The persons who will be active in the management of the Project for not less than one year after the approval of the Project Plan have sufficient ability and experience to manage the Plan properly.

c. The proposed method of financing the Project is feasible and the Issuer has the ability to arrange the financing.

d. The Project is reasonable and necessary to carry out the purposes of the Act.

2. By adoption of this resolution approving the Project Plan this City Council intends to and hereby expressly does approve the issuance, sale, and delivery of the Bonds as is required by Section 103(k) of the Internal Revenue Code of 1954, as amended.

3. The Economic Development Corporation of the City of Lansing is hereby requested to proceed with the Project and the financing thereof.

4. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

Adopted by the following vote:

Unanimously.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on the 6th day of May, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

Rita Bauman
Lansing City Clerk

Councilmember Blair returned to the meeting.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolution #0215

Lansing City Council

Resolution approving Project Area, establishing Project District Area and confirming appointment of additional Directors to the Board of Directors of the Issuer. (Fox Development Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan held at 7:00 o'clock p.m., Michigan Time, on May 6, 1985, at which the following members were present: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, and Worthington, and the following were absent: None.

The following preamble and resolution were offered by Councilmember Adado and supported by Councilmember Belen:

Whereas, the Economic Development Corporation Act, Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources, and

Whereas, the Act provides a means by which these needs may be addressed, and

Whereas, a project has been proposed (the "Project") to the Economic Development Corporation (the "Issuer") which would assist in the alleviation of the aforementioned conditions, and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and Project District Area for its Project to this City Council for its approval thereof.

Now, Therefore Be It Resolved, by this City Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer, is hereby certified as approved: SEE EXHIBIT "A".

2. The territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area having the same description as the Project Area herein certified as approved is hereby established.

3. Pursuant to Section 20(b) of the Act, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed.

4. This City Council hereby advises and consents to the appointment by the Mayor of the City of Lansing of Nick Colovos and Howard Ivey as additional directors to the Board of Directors of the Issuer, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.

5. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

YEAS: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, and Worthington.

NAYS: None

ABSTENTIONS: None

Resolution Declared Adopted.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on the 6th day of May, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

Rita Bauman
Lansing City Clerk

Adopted by the following vote:

Unanimously.

EXHIBIT A

Project Area Description

Land in Sections 9 and 10, T3N, R2W, City of Lansing, County of Ingham, Michigan, described as:

Commencing at the Southwest corner of said Section 10; th N 00° 03' 22" W, 1422.16'; th N 68° 38' 49" E, 1532.18' to the survey line of Highway US-127; th N 27° 58' 02" W along said survey line, 2318.37'; th N 85° 22' 34" W, 71.21' to Point "A" on the Southwesterly right of way line of Cedar Street and the Point of Beginning; Th N 27° 58' 02" W along said right of way line, 412.09' to a Point of Ending of free access right of way and the Point of Beginning of limited access right of way; th N 27° 58' 02" W, 680.80' to a Point of Ending of limited access and the Point of Beginning of free access right of way; th N 62° 01' 56" E, 8.20'; th 67.64' along a curve to the right, radius 2907.93', chord bearing N 25° 30' 02" W, 67.64'; th S 66° 01' 38" W, 68.16'; th S 25° 30' 02" E, 72.39'; th S 09° 14' 18" E, 100.00'; th S 28° 13' 10" W, 100.00'; th S 56° 42' 10" W, 78.18'; th S 48° 12' 29" W, 100.00'; th S 32° 29' 32" W, 100.00'; th S 16° 46' 35" W, 100.00'; th S 01° 03' 38" W, 100.00'; th S 14° 39' 18" E, 100.00'; th S 30° 22' 15" E, 100.00'; th S 46° 05' 12" E, 100.00'; th S 61° 48' 09" E, 100.00'; th S 77° 31' 06" E, 100.00'; th S 85° 22' 34" E, 202.63'; th S 27° 58' 04" E, 153.43'; th N 62° 01' 58" E, 240.00' to the Point of Beginning, except, beginning at Said Point "A", being at the intersection of the north right of way line of Edgewood Blvd. and the west right of way line of Cedar Street; th S 62° 01' 58" W, 240.00'; th N 27° 58' 04" W, 290.00'; th N 62° 01' 58" E, 240.00' to the Westerly right of way line of Cedar Street, th along said line S 27° 58' 02" E, 290.00' to the Point of Beginning.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0216

Resolved by the City Council of the City of Lansing:

Whereas, there was a perceived rodent problem on the Washington Mall last year, and

Whereas, some steps were taken by the administration to alleviate the problem, and

Whereas, the Committee on Public Properties and Safety has met with five local pest control specialists who have assessed and analyzed the nature and extent of the rodent problem in several downtown locations, and

Whereas, the specialists concluded the downtown rodent problem was significantly less severe than anticipated and stressed repeatedly the need for more effective clean-up and maintenance of the mall area to

eliminate both harborage and food supply,

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves and endorses the following policy regarding rodent control in Lansing:

1. Downtown and Riverfront (problem area) trash receptacles shall be of a rodent proof (closed top) nature.

2. All downtown and riverfront trash receptacles shall be emptied on a daily basis (April 15-October 15) and as often as necessary during festivals and special riverfront or mall activities.

3. An extensive riverbank clean-up program on both sides of the Grand River from River Street Park on the South and North Lansing dam on the north shall be initiated.

4. Immediately following the major clean-up (within 3 days), extermination of rodents on both sides of the river for the above mentioned distance shall commence.

Be It Further Resolved, monies previously appropriated for vector control may be utilized for these purposes, and

Be It Finally Resolved, the administration is hereby authorized to proceed with these corrective measures forthwith.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0217

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing desires to encourage and support shopping and commercial activity in the downtown business area by improving and maintaining the Washington Mall and Environs area by providing landscape maintenance, planter tub maintenance, special clean-up employees, Mall and side street sidewalk snow removal, snow ridge cut throughs and mechanical sweeping, and

Whereas, the City of Lansing has determined that a special assessment district should be established for special assessment, and

Whereas, the City of Lansing has determined that a portion of the costs of providing such services should be recovered by a special assessment of them against properties especially benefitted as authorized by Article 11 of Chapter 27A of the Lansing Code of Ordinances, and

Whereas, the City of Lansing is in the process of contracting for the maintenance of the Washington Mall and Environs area including landscape maintenance, planter tub maintenance, special clean-up employees, Mall and side street sidewalk snow removal, snow ridge cut throughs and mechanical sweeping, and

Whereas the Lansing Mal. Advisory Board recommends that the estimated cost of \$86,562 for providing the services under the proposed maintenance program be assessed against the properties situated within the boundaries of the Special Assessment District and that the services be provided to those properties as set forth in the proposed maintenance program.

Now, Therefore Be It Resolved, that the City Council of the City of Lansing proposes to establish a special assessment district for the maintenance of the Washington Mall and Environs area as follows:

Beginning at the intersection of N. Capitol and W. Shiawassee, E. on Shiawassee (S. Side only) to N.

Grand Avenue (both sides) to Lenawee Street, W. on Lenawee (N. side only) to S. Capitol Avenue, N. on Capitol Avenue (both sides - exclude Reutter Park) to W. Allegan and on Capitol Avenue (E. side only) N. to point of beginning; also Washington Square from Shiawassee (both sides) S. to Lenawee Street; also the following East and West Streets from Capitol Avenue to Grand Avenue (both sides) Ionia, Ottawa, Michigan Avenue, Allegan, Washtenaw, and Kalamazoo, and

Be It Further Resolved, that the City of Lansing proposes that 50% of the planter tub maintenance and 100% of the costs of special clean-up employees, snow removal and mechanical sweeping within the special assessment district be recovered by a special assessment of these costs against the properties especially benefitted, and,

Be It Further Resolved, that the estimated cost of \$86,562 associated with this maintenance project shall be assessed against the properties situated within the boundaries of the above special assessment district and specifically benefitted for the above described services, and

Be It Further Resolved, that the City Assessor make out an assessment roll assessing all Washington Mall properties on the basis of each property's total front footage for those services specifically provided and assessing all Side Street Environs properties on the basis of each property's total front footage for those services specifically provided, and

Be It Finally Resolved, that a public hearing is to be held in the City Council Chambers, 10th Floor, City Hall, Lansing, Michigan, May 28, 1985, at 7:00 p.m. in regard to the setting of boundaries of the special assessment district, the estimated cost of the special assessment and the proportion of the amount to be assessed.

Adopted by the following vote:

YEAS: Adado, Belen, Benavides, Blair, Creamer, Schmidt, Worthington—7.

NAYS: Lindemann—I.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolution #0218

Resolved by the City Council of the City of Lansing:

Whereas, the Ingham County Drain Commissioner has completed an engineering report on the existing Smedley-Coolidge Drain, located and established in the Township of Lansing and the Cities of Lansing and East Lansing, and

Whereas, said report has determined the existing drain requires cleaning out, relocation, widening, deepening, straightening, tiling, extension, addition of relief or branch drains, and/or relocation along a highway of the Smedley-Coolidge Drain and is necessary for the public health and safety of the petitioning municipalities.

Now, Therefore Be It Resolved, that the Mayor of the City of Lansing is hereby authorized to sign a petition on behalf of the City of Lansing pursuant to Section 191 of the Drain Code, 1956 PA 40, Compiled Laws 280.191, requesting said improvements be made.

Adopted by the following vote:

Unanimously.

SIDEWALK RESOLUTION

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0219

Resolved by the City Council of the City of Lansing:

That it is a necessary public improvement and it is hereby ordered that a new sidewalk shall be constructed in front of, or adjacent to the following described properties:

Corner	Logan/Grand River	15
3301-05-427-071	2610 N. Logan	196
3301-05-427-061	2720 N. Logan	50
3301-05-427-051	Vacant Lot	40
3301-05-427-041	2730 N. Logan	40
3301-05-427-031	2732 N. Logan	35
3301-05-427-023	2800 N. Logan	201
3301-05-427-012	2812 N. Logan	95
3301-05-427-002	2822 N. Logan	350

and that the owners of said above described lands are hereby required to commence construction within twenty (20) days from the date of this publication in accordance with Section 28-41 of the Code of Ordinances, or the Director of Public Service is authorized and directed to proceed to construct said concrete sidewalk in accordance with Section 28-42 of the Code of Ordinances. The expense of constructing the same shall be paid out of the contingent fund, and the City Assessor is hereby directed to assess the expense of constructing the same against said described land in accordance with Section 28-44 of the Code of Ordinances.

The City Clerk and the Public Service Director are hereby directed to give due notice hereof, by publication of a notice of this resolution as provided by Section 28-41, Chapter 28 of the Code of Ordinances.

Adopted by the following vote:

Unanimously.

SIDEWALK RESOLUTION

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0220

Resolved by the City Council of the City of Lansing:

That it is a necessary public improvement and it is hereby ordered that the sidewalk shall be reconstructed in front of, or adjacent to the following described properties:

Parcel	Address	50/50 Shared Resp. Square Feet	100% City Resp. Square Feet	100% Owner Resp. Square Feet
3301-15-258-092	1309 Mich. on Holmes	20		
3301-15-258-031	116 Holmes (Vacant)	40		
3301-15-258-021	118 Holmes	20		
3301-15-258-001	128 Holmes (See Jerome also)	20	40	
3301-15-258-111	1327 E. Mich on Ferguson	65		
3301-15-258-121111	Ferguson	45		
3301-15-258-131	Bit. Parking Lot North of #111	45	55	
3301-15-258-151	123 Ferguson	20		
3301-15-258-161	125 Ferguson		60	
3301-15-258-171	127 Ferguson (See Jerome)	60	20	
3301-15-259-001	1400 Jerome on Ferg. (See Jerome)	25	103	
3301-15-259-011	120 Ferguson	40	40	
3301-15-259-021	116 Ferguson	120		
3301-15-259-031	112 Ferguson	45		
3301-15-259-042	1401 E. Mich on Ferg	40	60	
Corner	Ferg. and Vine SE		40	43
Corner	Ferg. and Vine SW		40	20
3301-15-255-211	227 Ferguson	78		
3301-15-255-181	221 Ferguson	20	60	
3301-15-255-171	217 Ferguson	20	50	40
3301-15-255-161	213 Ferguson	50	60	
3301-15-255-151	209 Ferguson	100	50	20

[illegible]

and that the townowners of said above described lands are hereby required to commence construction within twenty (20) days from the date of this publication in accordance with Section 28-41 of the Code of Ordinances, or the Director of Public Service is authorized and directed to proceed to construct said concrete sidewalk in accordance with Section 28-42 of the Code of Ordinances. The expense of constructing the same shall be paid out of the contingent fund, and the City Assessor is hereby directed to assess the expense of constructing the same against said described land in accordance with Section 28-44 of the Code of Ordinances.

The City Clerk and the Public Service Director are hereby directed to give due notice hereof, by publication of a notice of this resolution as provided by Section 28-41, Chapter 28 of the Code of Ordinances.

Adopted by the following vote:

Unanimously.

By THE COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0221

Resolved by the City Council of the City of Lansing:

Be It Resolved, that the Committee on Physical Development hereby approves the appointments of Lawrence Morre and James Dragisic to the Citizens District Council #4, with terms expiring November 13, 1987 as recommended by the Mayor.

Adopted by the following vote:

Unanimously.

By THE COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0222

Resolved by the City Council of the City of Lansing:

LS-6-85, 4200 S. Aurelius Rd.

Whereas, the petitioner wishes to divide a vacant lot in the 4200 Block of Aurelius Road, more particularly described as:

Lot 4, Supervisor's Plat, Culverdale Subdivision, City of Lansing, Ingham County, Michigan,

into three portions which will enlarge the rear yards of two homes on Cavanaugh Road and retain one (1) buildable lot with access to Aurelius Road, and

Whereas, if approved, this lot split will create the following three parcels:

Lot 1 - Addition to 3301-35-301-211: All of Lot 3 and the East 52 feet of Lot 4, Supervisor's Plat of Culverdale Subdivision, City of Lansing, Ingham County, Michigan.

Lot 2 - Addition to 3301-35-301-221: All of Lot 2 and commencing at a point 90' east of the southwest corner of lot, thence N 100', thence east 48', thence south 100', thence west 48' to the point of beginning, City of Lansing, Ingham County, Michigan.

Lot 3 - Remaining portion of 3301-35-301-011: West 90' of Lot 4, Supervisor's Plat of Culverdale Subdivision, City of Lansing, Ingham County, Michigan.

Whereas the Planning Board at their meeting of May 21, 1985 voted to recommend approval of the aforementioned lot split, and

Whereas, the Committee on Physical Development has reviewed and concurs therewith.

Now, Therefore Be It Resolved, that the Council of the City of Lansing approves the lot split as proposed.

Be It Further Resolved, that the Clerk be authorized to so notify the applicant. The applicant, however, stipulates and understands that the lot split as granted by the City of Lansing does not necessarily mean that the applicant may proceed with the division of the property. The applicant further understands that there may be some private restrictions contained in his deed or plat restriction, which may or may not be recorded with the Register of Deeds, which may run with the land. The applicant further understands that the City does not have the power or authority over these restrictions.

Adopted by the following vote:

Unanimously.

By THE COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0223

Resolved by the City Council of the City of Lansing:

That it is hereby determined to be a matter of public health and necessity to construct storm and sanitary sewers and curb and gutter on Ferrol Street from Christiansen Road to the east end of street (approximately 130 feet), and that the construction of these improvements is hereby ordered.

And Further, that the estimated costs of these improvements shall be financed by special assessment to the property owners for the curb and gutter and the City's share from Accounts 401-787-010-974.677 (storm) and 590-936-608-974 (San.)

Be It Further Resolved, that the Department of Public Service is hereby directed to prepare as far as necessary, plans and specifications for this project and to furnish said information to the Mayor and City Council.

Adopted by the following vote:

Unanimously.

By THE COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0224

Resolved by the City Council of the City of Lansing:

That it is hereby determined to be a matter of public health and necessity to construct street improvements on the following streets and that the construction of these improvements is hereby ordered.

CURB AND GUTTER & NECESSARY CATCHBASINS:

Yunker Street from Miller Rd. to the S. end of street, approximately 160' south of Victoria.

Barker Street from Southfield to Victoria Dr.

Shreve Street from Southfield to the south end of street, approximately 160' south of Victoria.

Daft Street from Miller Road to south end of street, approximately 160' south of Victoria.

Mary Avenue, from Logan Street West 200 feet.

STORM SEWER & CURB & GUTTER

Victoria Drive from 140' east of Daft St. to 140' west of Yunker Street.

And Further, that the estimated cost of these improvements shall be financed by special assessment to the benefited property owners and the City's share from Accounts 101-936-606-974 (C&G) and 401-787-010-974 (Storm).

Be It Further Resolved, that the Department of Public Service is hereby directed to prepare as far as necessary, plans and specifications for this project and to furnish said information to the Mayor and City Council.

Adopted by the following vote:

Unanimously.

PUBLIC IMPROVEMENT I

By THE COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0225

Resolved by the City Council of the City of Lansing:

That it is hereby determined to be a public necessity to construct storm and sanitary sewers and curb and gutter in Ferrol Street from Christiansen Road to the east end of street (approx. 130') ordered for Council Resolution 5/20/85.

That the Department of Public Service be and is hereby directed to cause to be prepared so far as necessary, diagrams and plats of the whole of said district, and/or plans and specifications for such project, and is further directed to estimate in detail the cost of said project, and furnish said information to the Council.

Adopted by the following vote:

Unanimously.

PUBLIC IMPROVEMENT I

By THE COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0226

Resolved by the City Council of the City of Lansing:

That it is hereby determined to be a public necessity to construct curb and gutter and necessary catchbasins in Coulson Court from Miller Road to the South line of Lancel Village No. 3 Subdivision a petition (See Petition #CG-3-85) on file with the City Clerk, signed by 57% of the benefited owners, and signed by owners of 55% of the benefited frontage.

That the Department of Public Service be and is hereby directed to cause to be prepared so far as necessary, diagrams and plats of the whole of said district, and/or plans and specifications for such project, and is further directed to estimate in detail the cost of said project, and furnish said information to the Council.

Adopted by the following vote:

Unanimously.

PUBLIC IMPROVEMENT I

By THE COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0227

Resolved by the City Council of the City of Lansing:

That it is hereby determined to be a public necessity to construct storm sewer and curb and gutter in Victoria Drive from 140' east of Daft Street to 140' west of Yunker Street, ordered for Council Resolution 5/20/85.

That the Department of Public Service be and is hereby directed to cause to be prepared so far as necessary, diagrams and plats of the whole of said district, and/or plans and specifications for such project, and is further directed to estimate in detail the cost of said project, and furnish said information to the Council.

Adopted by the following vote:

Unanimously.

PUBLIC IMPROVEMENT I

By THE COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0228

Resolved by the City Council of the City of Lansing:

That it is hereby determined to be a public necessity to construct:

Curb and gutter and necessary catchbasins:

Yunker Street from Miller Road to the south end of the street, approximately 160' south of Victoria.

Barker Street from Southfield to Victoria Dr.

Shreve Street from Southfield to the south end of the street, approximately 160' south of Victoria.

Daft Street from Miller Road to south end of the street, approximately 160' south of Victoria.

Mary Avenue from Logan Street west 200', ordered by Council Resolution 5/20/85.

That the Department of Public Service be and is hereby directed to cause to be prepared so far as necessary, diagrams and plats of the whole of said district, and/or plans and specifications for such project, and is further directed to estimate in detail the cost of said project, and furnish said information to the Council.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolution #0229

Resolved by the City Council of the City of Lansing:

Whereas, on a bright sunny day in the spring of '39, young Donald John Risto hit the deck and took his first sweet breath of air, and

Whereas, his exciting and fast paced life style has resulted in a variety of broken bones including, (but not limited to) his neck, his leg, and his toe, and

Whereas, now, at the tender age of 46, Don is settling down slightly with his lovely wife Jeanette and paying more attention to his duties as Treasurer of the Consumers Power Credit Union and watching his weight approximately 42% of the time, and

Whereas, he doesn't swing the clubs himself, Don does enjoy the sun, exercise, and other activities associated with the game of golf and has consequently earned a reputation as the finest of Caddies, and

Whereas, the people of this community are truly fortunate to have a man such as Don in their midst.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby officially wishes DONALD J. RISTO a very happy 46th birthday and many happy returns!

Adopted by the following vote:

Unanimously.

Resolution #0230

Resolution Amending Letter Agreement
(Block 100 Limited Partnership Project)

Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held at 7:00 p.m., Michigan Time, on May 20, 1985, at which the following members were present: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, and Worthington, and the following were absent: None.

The following preamble and resolution were offered by Councilmember Benavides and supported by Councilmember Belen:

Whereas, this City Council has previously approved a certain Letter Agreement (the "Letter Agreement") dated as of December 31, 1984 by and between the City of Lansing (the "City"), the Economic Development Corporation of the City of Lansing (the "EDC"), Block 100 Limited Partnership (the "Company") and the Churchill Company ("Churchill"), and

Whereas, said Letter Agreement was approved by the City Council on December 20, 1984, and

Whereas, the Company has advised the City that it will commence construction of the Hotel (as defined in the Letter Agreement) on or before June 28, 1985, and

Whereas, the Letter agreement had originally specified March 31, 1985 as the date for "Commencement of Construction" (as defined in the Letter Agreement), and

Whereas, the parties to the Letter Agreement desire to amend the Letter Agreement in order to extend the date of Commencement of Construction from March 31, 1985 to June 28, 1985.

Now, Therefore City Council of the City of Lansing hereby resolves as follows:

1. The date of the Commencement of Construction as specified in the Letter Agreement is hereby extended from March 31, 1985 to June 28, 1985.

2. The appropriate officials of the City of Lansing are hereby authorized to enter into a First Amendment to Letter Agreement substantially in the form attached Exhibit "A" in order to implement this Resolution.

3. The Letter Agreement, as amended hereby, remains in full force and effect.

4. All resolutions or parts thereof in conflict with this Resolution are hereby repealed, but only to such extent of such conflict.

Yeas: Adado, Belen, Benavides, Creamer, Lindemann, Schmidt and Worthington

Nays: Blair

Abstentions: None

STATE OF MICHIGAN)

COUNTY OF INGHAM) ss

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan held on the 20th day of May, 1985 and that the said minutes are on file in my official office and they are available to the public. Public Notice of the said meeting was given pursuant to and in compliance with Act No 267. Public Acts of Michigan, 1976.

Rita M. Bauman
Lansing City Clerk

By COMMITTEE OF THE WHOLE—

Resolution #0231

Resolved by the City Council of the City of Lansing:

That the Mayor and City Clerk are hereby authorized to execute the attached Catering Agreement between the City of Lansing and the Block 100 Limited Partnership.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—7.

Nays: Councilman Blair—1.

By COUNCILMEMBER SCHMIDT—

I move that we take a 10 minute recess to discuss the parking agreements.

Carried.

City Council recessed at 8:35 p.m. to 8:47 p.m.

By COMMITTEE OF THE WHOLE—

Resolution #0232

Resolved by the City Council of the City of Lansing:

That the Mayor and City Clerk are hereby authorized to execute the attached Parking Agreements between the City of Lansing and the Block 100 Limited Partnership.

Adopted by the following vote:

Yeas: Councilmen Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—6.

Nays: Councilmen Adado, Blair—2.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$391.50 from General Fund	
Estimated Revenues	A/C 101-000-000-160
391.50 to Forfeitures	
Act 251	A/C 101-305-016-969
(Act 251 Forfeiture to Tri-County Metro Squad)	
\$1,100.00 from Police—	
Longevity	A/C 101-305-000-712
1,100.00 to Police—	
Psychological Exam	A/C 101-307-320-823
(Examination Account is near depletion & anticipated 10 police applicants and 10 police tech applicants will need testing)	
\$2,000.00 from Reserve	
for Contingency	A/C 101-941-000-963
2,000.00 to Admin. & Engineering—	
Operating Supp.	A/C 101-441-000-740
(to cover estimated expenditures for operating supplies for the remainder of FY85 for the Admin. & Engineering Section)	
\$5,000.00 from Storm Sewer Main	
Equipment Rental	A/C 101-445-018-943
5,000.00 to Flood Control—	
Utilities	A/C 101-445-017-920
(to cover higher-than anticipated expenditures for flood control during the months of March & April)	
\$544.00 from Estimated	
Revenues	A/C 301-000-000-160
544.00 to Principal—	
County Drains	A/C 301-945-979-991
(Provide budget for Remy-Chandler drainage assessment #2)	
\$525.00 from Estimated	
Revenues	A/C 301-000-000-160
525.00 to Interest—	
County Drains	A/C 301-945-979-995
(provide budget for Remy-Chandler drainage assessment #2)	
\$2,425.00 from Worker's Comp.	
Payroll Hourly	A/C 765-958-000-959.04
2,425.00 to Self-Insurer's Fund—	
Worker's Comp	A/C 765-958-000-918
(Pay assessments to the Silicosis & Dust Disease Fund and the Second Injury Fund. Our actual assessment is not known at budget preparation time.)	

Recommended by:
Jan Lazar, Budget Director

I hereby certify that this is a properly drawn and eligible transfer.

James W. Dowsett
Finance Director

Approved:
James Blair
Tony Benavides
Ways and Means Committee

Adopted by the following vote:

Unanimously.

ORDINANCES

By COUNCILMEMBER BELEN—

The Committee reported that it had considered an

ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the code for property located at:

Z-6-85 - 402 Rockford Rd./401 Lincoln St. to be rezoned from "A" Residential District to "J" Parking District.

Z-8-85 - Vacant lot east of 709 S. Pennsylvania Ave. to be rezoned from "C" Residential District to "F" Commercial District.

Z-10-85 - 117 N. Fairview, 116 N. Clemens and a portion of public alley adjacent to 116 N. Clemens to be rezoned from "B" Residential District to "J" Parking District.

Z-11-85 - 1201 W. Jolly Rd. to be rezoned from "A" Residential District to "F" Commercial District.

Z-12-85 - 1218 N. Washington St. to be rezoned from "C" Residential to "J" Parking District.

and recommended that the ordinances be passed.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-6-85 - 401 Lincoln Avenue and 402 Rockford Road to be rezoned from "A" Residential District to "J" Parking District be placed on order of immediate passage.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-6-85 - 401 Lincoln Avenue and 402 Rockford Road to be rezoned from "A" Residential District to "J" Parking District be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2155

An Ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-6-85, 401 Lincoln Avenue and 402 Rockford Road.

Parcel Numbers: 3301-28-253-091 and 3301-28-253-141.

Legal Description: Lot 5 Cedarhurst Subdivision and commencing on the south line of Rockford Road, 139.6 feet west of the west line of South Cedar Street; thence south 144.32 feet; thence west 57.4 feet; thence

north 147.32 feet; thence east 57.4 feet to point of beginning, a part of Lot 58, Cedaracre Subdivision and Section 28, T4N, R2W, City of Lansing, Ingham County, Michigan

From "A" Residential District to "J" Parking District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-8-85 - 709 South Pennsylvania/1008 Heald Place to be rezoned from "C" Residential District to "F" Commercial District be placed on order of immediate passage.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-8-85 - 709 South Pennsylvania/1008 Heald Place to be rezoned from "C" Residential District to "F" Commercial District be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2156

An Ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-8-85, 709 South Pennsylvania Avenue/1008 Heald Place.

Parcel Number: 3301-15-382-231

Legal Description: Lot 6, Block 13, Lansing Improvement Company's Addition to the City of Lansing, Ingham County, Michigan

From "C" Residential District to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-10-85 - 117 North Fairview Avenue and 116 North Clemens to be rezoned from "B" Residential District to "J" Parking District be placed on order of immediate passage.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-10-85 - 117 North Fairview Avenue and 116 North Clemens to be rezoned from "B" Residential District to "J" Parking District be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2157

An Ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-10-85, 117 North Fairview Avenue and 116 North Clemens.

Parcel Numbers: 3301-14-156-041, 051, and 131.

Legal Description: All of Lots 145, 156, and the south 9 feet of Lot 157, Adams Addition, and that portion of the public alley described as the north 32.5 feet of Lot 146, Adams Addition; all in the City of Lansing, Ingham County, Michigan

From "B" Residential District to "J" Parking District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-11-85 - 1201 West Jolly Road to be rezoned from "A" Residential District to "F" Commercial District be placed on order of immediate passage.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by

providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-11-85 - 1201 West Jolly Road to be rezoned from "A" Residential District to "F" Commercial District be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2158

An Ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-11-85, 1201 West Jolly Road.

Parcel Number: 3305-05-202-152.

Legal Description: That part of Lots 55 and 56, Supervisor's Plat of Prosperity Farms, a subdivision of a part of the northeast ¼ of Section 5, T3N, R2W, City of Lansing, Ingham County, Michigan, described as: Beginning at the NW corner of said Lot 56; thence east 68.85 feet on north line of Lot 56 to a point 117 feet west of the NE corner of Lot 56; thence south 00° 09' east, 116.00 feet; thence west 68.85 feet; thence north 00° 09' west, 116 feet on the west line of Lots 55 and 56 to point of beginning, except north 7.0 feet being used for Jolly Road right-of-way

From "A" Residential District to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-12-85 - 1218 North Washington Avenue be rezoned from "C" Residential District to "J" Parking District be placed on order of immediate passage.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-12-85 - 1218 North Washington Avenue to be rezoned from "C" Residential District to "J" Parking District be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2159

An Ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-12-85, 1218 North Washington Avenue.

Parcel Number: 3301-09-256-031.

Legal Description: The south 28 feet of Lots 1 and 6 and the north 24 feet of Lots 2 and 5, Block 32, Original Plat, City of Lansing, Ingham County, Michigan

From "C" Residential District to "J" Parking District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

ORDINANCES

By COUNCILMEMBER BELEN—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by: revising sections 27-35 and 27-35.1 to provide for an increase in wastewater rates required for the existing operation and maintenance of the system and to comply with the EPA and NPDES permit rules and regulations and recommended that the ordinance be passed.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by revising sections 27-35 and 27-35.1 to provide for an increase in wastewater rates required for the existing operation and maintenance of the system and to comply with the EPA and NPDES permit rules and regulations be placed on order of immediate passage.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by revising sections 27-35 and 27-35.1 to provide for an increase in wastewater rates required for the existing operation and maintenance of the system and to comply with the EPA and NPDES permit rules and regulations be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 701

An Ordinance of the City of Lansing, Michigan, providing that Chapter 27 of the Code of Ordinances, City of Lansing, Michigan, be amended by revision sections 27-35 and 27-35.1 to provide for an increase in wastewater rates required for the existing operation and maintenance of the system and to comply with EPA and NPDES permit rules and regulations.

The City of Lansing ordains:

Section 1. That Chapter 27 of the Code of Ordinances of the City of Lansing, Michigan be amended by revising Sections 27-35 and 27-35.1 to read as follows:

Sec. 27-35. Amounts; Billings.

The rates and charges for services furnished by such system shall be levied upon each lot or parcel of land, building or premises, having any sewer connection with such system, on the basis of the quantity of water used thereon or therein as the same is measured by meters therein used, or in the absence thereof, by such equitable method as shall be determined by the director of public service with the approval of the City Council, and shall be collected at the same time, and in the same manner as provided for the payment of charges for water used, except in cases where the character of the sewage from a manufacturing or industrial plant, building, or premises is such that unreasonable additional burden is placed upon the system, greater than that imposed by the average sewage delivered to the system plant, the additional cost of treatment created thereby shall be an additional charge over the regular rates hereinafter set forth; or the City may, if it deems it advisable, compel such manufacturing or industrial plant, building, or premises, to treat such sewage in such manner as shall be specified by the City before discharging such sewage into the sewage disposal system. Rates for all users obtaining all or part of their water supply from sources other than the City's water system may be determined by gauging or metering the actual sewage entering the system or by metering the water used by them, in a manner acceptable to the City Council. The commodity charge for resident users shall be computed on the basis of nine hundred (900) cubic feet per month per customer where gauging or metering is not practical.

The City Council may classify the users of the system according to the quantity and quality of water used and charge such rates to users in each class as it may deem reasonable.

(1) The rate to be billed for use of the system shall be as follows for all users within the sanitary sewer service area of the City except as otherwise provided herein:

SCHEDULE OF SEWERAGE RATES PER MONTH

a. Billing charge: \$2.16 per bill per customer for billing and collecting services.

b. Commodity charge: \$1.00 per 100 cubic feet of all water used.

c. Lawn sprinkling: Upon all bills to resident users of two (2) units or less during the months of September, October, and November, the sewerage charge shall be subject to discount of ten (10) percent unless water used for lawn sprinkling is metered separately, and further provided that said discount shall not apply to the billing charge.

d. Delayed payment charge: A delayed payment charge of five (5) percent of the total monthly bill shall be added to any bill which is not paid on or before the due date shown thereon.

e. Extra strength waste surcharge (BOD) \$0.00 per pound in excess of 300 milligrams per liter (mg/l).

f. Extra strength waste surcharge (suspended solid) \$0.050 per pound in excess of 350 milligrams per liter (mg/l).

g. Industrial and Commercial Monitoring Charge:

1. Composite sample	\$130.00 each
2. Grab sample	\$50.00 each
3. Laboratory analysis	\$20.00 each

2. The rate to be billed for use of the system for all Landel customers shall be the same as that used within the City.

The rates stated herein shall be effective on July 1, 1985 except as otherwise provided. A billing covering use of the system before and after the effective date of this rate change shall have such bill prorated, based upon the average use per day and the number of days with such billing period, at the rate then in effect.

The Board of Water and Light is hereby designated as the billing and collecting agent for the City for the purposes of this Chapter and is reimbursed from the funds collected for the expense of such billing and collecting.

Suburban user or users of sewer or sewer services located outside of the corporate limits of the City who have connection with the sewerage system of the city shall pay for such services such additional rate to that charged to users within the corporate limits as the City Council may determine to cover additional costs to the City of transportation of waste water and depreciation of investments by the City in sewerage facilities.

Sec. 27-35.1 Cash Security Deposits

A cash deposit may be required by the Board of Water and Light as security for the payment of sewage disposal service.

Such deposit shall be collected pursuant to the same criteria, at the same time and treated in the same manner, as deposits required as security for the payment of water service. The amount of such cash deposit shall be established by written criteria which criteria shall include the credit worthiness of the customer, the delinquency in any past account and other criteria which the Board of Water and Light deems relevant, and shall be a multiple of the average monthly billing value as determined by the Board of Water and Light.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMEMBERS BELEN, LINDEMANN, AND WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

DATE: 5/17/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Department

RE: Certification for CDBG Application

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COMMITTEE OF THE WHOLE—

Resolution #0233

Resolved by the City Council of the City of Lansing:

Whereas, the U.S. Department of Housing and Urban Development (HUD) requires that the City of Lansing submit a Final Statement of Community Development Objectives and Projected Use of Funds (list of proposed activities) in order to receive a Community Development Block Grant (CDBG) Entitlement Grant for the Eleventh Fiscal Year (FY) 1985 to 1986, and

Whereas, the FY 1985 to 1986 CDBG entitlement amount allocated to Lansing is \$1,713,000, and

Whereas, funds derived from Community Development Program Income, reprogrammed funds from the ninth year, Fiscal Year 1983 to 1984 and tenth year, Fiscal Year 1984 to 1985 will be added to the total Block Grant Resources, and

Whereas, HUD requires that the City publish community-wide a "Draft Statement of Objectives and Projected Use of Funds" to provide citizens the opportunity to submit comments on the proposal, and

Whereas, the "Draft Statement of Objectives and Projected Use of Funds" have been published in the Lansing State Journal on November 14, 1984, and

Whereas, a public hearing was held by the Lansing Planning Board on December 4, 1984 to invite comments on the draft statement of community development objectives, projected use of funds and budget and the City of Lansing's performance and progress with CDBG activities, and

Whereas, the Lansing Planning Board at their regular meeting on December 18, 1984, after considering comments received, recommended that the CDBG Statement of Objectives, Projects, and Budget be approved, and

Whereas, HUD further requires that the City of Lansing make available a "Final Statement of Community Development Objectives and Projected Use of Funds" for the Fiscal Year 1985 to 1986, and

Whereas, a public hearing was held by the Lansing City Council on May 6, 1985 to receive citizens comments and recommendations and to review the eleventh year CDBG Final Statement of Community Development Objectives and Projected Use of Funds, and

Whereas, federal regulations require the City to make certain certifications and assurances to HUD as part of the City's application under the CDBG,

Now, Therefore Be It Resolved, that the City Council adopt the "Final Statement of Community Development Objectives and Projected Use of Funds" for the eleventh program year, and

Be It Further Resolved, that the Mayor as Chief Executive Officer be authorized to submit and sign the application, after satisfactory review, including all understandings, assurances, and certifications contained therein; is directed to provide such additional information as may be required, and is authorized, as the official representative of the City of Lansing, to act in connection with the CDBG submission and to execute all contracts and legal documents to secure and implement the CDBG Program.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0234

Resolved by the City Council of the City of Lansing:

LS-3-85
709 South Pennsylvania
1008 Heald Place

Whereas, pursuant to the City of Lansing Subdivision regulations, being Chapter 37 of the Lansing Code of Ordinances, Clare and Ann Simons have requested that the property located at 709 South Pennsylvania Avenue and 1008 Heald Place, more particularly described as:

Lots 6, 7, 8, 9, Block 13, Lansing Improvement Company's Addition to the City of Lansing, Ingham County, Michigan,

be divided into two parcels, to be described as follows:

Parcel A: Lots 8 and 9, Block 13, Lansing Improvement Company's Addition to the City of Lansing, Ingham County, Michigan;

Parcel B: Lots 6 and 7, Block 13, Lansing Improvement Company's Addition to the City of Lansing, Ingham County, Michigan, and

Whereas, the Planning Board at their meeting of April 16, 1985, recommended that the lot division be approved and that the petitioner submit site plans illustrating the necessary parking for the divided lots, and

Whereas, the Physical Development Committee of the City Council, to whom was referred the report of the Planning Board, concurs therewith;

Now, Therefore Be It Resolved, that the Council of the City of Lansing hereby approves the above described lot division, and

Be It Further Resolved, that the City Clerk be, and she is hereby, directed to notify the petitioner of this action. The applicant, however, stipulates and understands that the lot split as granted by the City of Lansing does not necessarily mean that the applicant may proceed with the division of the property. The applicant further understands that there may be some private restrictions contained in his deed or plat restriction, which may or may not be recorded with the Register of Deeds, which may run with the land. The applicant further understands that the City does not have the power of authority over these restrictions.

Adopted by the following vote:

Unanimously.

Councilmember Blair left the meeting.

By COUNCILMEMBER LINDEMANN—

Resolution #0235

Resolved by the City Council of the City of Lansing:

Whereas, the problem of street prostitution in our City's neighborhoods and commercial areas continues to plague many Lansing citizens, and

Whereas, Shiawassee Street east of Larch is currently a popular area for this illegal activity.

Now, Therefore Be It Resolved, the City Council of the City of Lansing, hereby officially urges the administration to increase enforcement efforts on the 300 and 400 blocks of East Shiawassee Street.

Adopted by the following vote:

Unanimously.

Councilmember Blair returned to the meeting.

By COUNCILMEMBER LINDEMANN—

Resolution #0236

Resolved by the City Council of the City of Lansing:

Whereas, Michigan Bell has applied to the City for

an easement at Waverly Golf Course for placement of a manhole on the property, and

Whereas, the Parks and Recreation Department has recommended approval of the easement.

Now, Therefore Be It Resolved, the Lansing City Council hereby approves the request from Michigan Bell for an easement at Waverly Golf Course, for placement of a manhole, in consideration of a payment of \$200.00, and

Be It Further Resolved, the Mayor and City Clerk are authorized to execute necessary easement documents attached to the Michigan Bell letter of May 15, 1985, directed to the Parks and recreation Department.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolution #0237

Resolved by the City Council of the City of Lansing:

Whereas, the A. Philip Randolph Institute has requested permission to use Riverfront Park for the annual Black Cultural Festival, including the sale of beer and wine, during May 24-26, 1985.

Now, Therefore Be It Resolved, the Lansing City Council hereby approves the use of Riverfront Park for the Black Cultural Festival, including the sale of beer and wine during May 24-26, 1985.

Adopted by the following vote:

Unanimously.

REMARKS BY THE MAYOR

Announced Police Dept. Awards Ceremony to be held Tuesday, May 21, 1985, at 6:30 p.m. in the Council Chambers, 10th Floor, City Hall.

Commented on the 100 block Hotel and Exhibition Center.

Announced Memorial Day parade to be held Saturday.

REMARKS BY THE CITY COUNCIL

Councilmember Lindemann thanked Councilmembers for their vote of confidence in the "100" block Hotel, Parking, and Catering.

Councilmember Benavides asked about cemeteries being in good shape for Memorial Day and remarked about automobiles speeding to make up for lost time around Waverly Road detour.

Councilmember Adado questioned the immediate vote taken by Councilmembers after the recess.

By COUNCILMEMBER CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:17 P.M.

RITA BAUMAN,
City Clerk

May 20, 1985

Lansing, Michigan

233

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, May 28, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

May 28, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None-0.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Schmidt.

Pledge of allegiance.

PUBLIC HEARING

May 28, 1985, at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed setting boundaries of the special assessment district, estimated cost of amount to be assessed for Maintenance of the Washington Mall and Environs.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed district, they have the privilege of speaking at this time.

Referred to the Committee on Public Properties and Safety.

PUBLIC HEARING

May 28, 1985, at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Ordinance adding a new Chapter 21 containing sections numbered 21-1 through 21-12, inclusive, for the purpose of updating the Nuisance Ordinance.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed district, they have the privilege of speaking at this time.

Referred to the Committee on General Services.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Speakers in support of the Recycling Dealers Ordinance were:

Helen LeBlanc, 2021 Cumberland

Robert Franks, 115 S. Foster
John Boettjer, 2723 Arlington Road
Al Schaible, 2401 Delata River DR.
Evelyn Dryer, 2110 Melvin Court
Joel Lipinski, 2734 Arlington Rd.
Al LeBlanc, 2021 Cumberland Rd.

Speakers opposing the Recycling Dealers Ordinance were:

Carl H. May, Holt, MI
Dale Martin, Motor Wheel Corp.
Frank Fowler, Buick, Oldsmobile, Cadillac Dev., General Motors Corp.
Jim Reutter, Lansing Ice and Fuel Co.
William Hollister, representing Universal Steel
Jim Barnes, Wohler Corp.
James F. Anderton, Summit Steel
Mike Davidson, Lindell Drop Forge
Jim Jordan, Lansing Chamber of Commerce

By COUNCILMEMBER ADADO—

That we recess for ten minutes.

Carried.

City Council recessed at 8:15 p.m. and reconvened at 8:28 p.m.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for Licenses:

Public Drivers: Francis W. Miller, Warren E. Will, Robert H. Leathers III.
Building Wrecker: M. Davis Construction, Inc.
Second Hand Dealer: Action Discount House and Second Hand Store.
Amusement License: Elliott Amusements, Inc.
Sign Erector: Terrell Associates.
Mechanical Amusement Device: Hall of Fame Billiards (51); 7-11 Store at 6016 S. Pennsylvania and 820 W. Miller Rd.; Ramon's Restaurant; Lansing Clarion; Charcoal House; Baldori; Pro-Bowl West.

Referred to the Committee on General Services.

Suit filed in Circuit Court by Michael D. And Carol L. Mitchell v City of Lansing, Board of Water and Light and Michigan Bell Telephone Co. for injuries sustained in a fall over a pole guideline.

Referred to the Mayor and City Attorney.

Claim filed by Kay Thrush, 233 South Waverly Road, for reimbursement of money paid for sewer cleaning service.

Referred to the Mayor and City Attorney.

Petition filed for Special Land Use SLU-11-85 - 3600 Block of W. Jolly Road, south side of street, to be used for construction of a church.

Referred to the Mayor and Planning Board.

Request for tentative preliminary plat approval filed

by Roy Markey for Robins Meadow Subdivision.

Referred to the Mayor and the Planning Board.

Letter of complaint from John Salmons, 200 S. H. Ford, regarding conditions of the Ball Fields in the City.

Referred to the Mayor.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA:

Mayor's letters 4b (Shiawassee Street Bridge Rehabilitation); 4d (Extended hours for contractor E. T. MacKenzie at Poxson Park.)

REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following Licenses and Bonds:

Public Drivers: Francis W. Miller, Warren E. Will, Robert H. Leathers III.

Building Wrecker: M. Davis Construction, Inc.

Second Hand Dealer: Action Discount House and Second Hand Store.

Amusement License: Elliott Amusements, Inc.

Sign Erector: Terrell Associates.

Mechanical Amusement Device: Hall of Fame Billiards (51); 7-11 Store at 6016 S. Pennsylvania and 820 W. Miller Rd.; Ramon's Restaurant; Lansing Clarion; Charcoal House; Baldori; Pro-Bowl West.

Signed,

Sidney Worthington

Alfreda Schmidt

Charles Creamer

Committee on General Services

By COUNCILMEMBER WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

To whom was referred the Police Department's report on Flying Mishaps of the Helicopter Patrol Unit, reports as follows: The Committee desires to review the L.P.D. Helicopter Program in more detail in the next several weeks. The administration is requested to make staff and study materials available to Committee members for discussion. Further, the Mayor is requested to advise the Committee in advance of the date when the Hughes helicopter will be back in service.

Signed,

Patrick Lindemann

James Blair

Louis Adado

Committee on Public Properties and Safety

By COUNCILMEMBER LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

To whom was referred the Ordinance regarding repealing Sections 18-1 through 18-8, inclusive, of Chapter 18 for the purpose of providing for the regulation of Recycling Dealers by requiring their

licensing in order to promote the public health, safety, and welfare of the citizens of the City of Lansing.

Amended by adding a new Chapter 18, containing Sections 18-1 through 18-22, inclusive, to provide for the regulation of recycling dealers by requiring their licensing in order to promote the public health, safety, and welfare of the citizens of the City of Lansing.

Signed,

Patrick Lindemann

James Blair

Louis Adado

Committee on Public Properties and Safety

By COUNCILMEMBER LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

May 23, 1985

President Creamer and Members of City Council

RE: Claim of Muriel R. Lindsay in the amount of \$107.00

Dear President Creamer and Members of City Council:

On April 15, 1984, Lansing City Council received a claim from Muriel R. Lindsay, 120 E. Paris St., for damages to her property stored in the basement, carpeting, and labor due to a sewer back-up into the basement of her home. Mrs. Lindsay states that on March 28, 1985, she awoke to find about 4 inches of water in her basement and traced the cause to be a plugged sewer drain, coupled with heavy rains on March 28. Once the source of the problem was determined, the Public Service Department was called and the problem was corrected.

A review of the Public Service file indicates that on March 28, 1984, at 2:30 p.m. a call was received concerning the above problem. The department responded immediately, and at 2:58 p.m. the catchbasin was cleaned and the problem corrected. No other complaints were received prior to this date.

Michigan Law immunizes Municipalities from tort liability where and when the Municipality is engaged in the exercise and discharge of a government function, MCLA 691.1407, MSA 3.996(107). In *Ross v. Consumers Power Co.*, 420 Mich 567, 1985 (on Rehearing), the Michigan Supreme Court ruled that "a governmental function is an activity which is expressly or implicitly mandated or authorized by Constitution, statute, or other law." It is clear that the activity of operating and maintaining a sewer system being authorized by State law, City Charter, and Ordinance is an activity expressly mandated by law, therefore given Governmental immunity from liability.

Based on the above facts and law, it is the recommendation of this office that this claim be denied on the basis of Governmental immunity.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

May 23, 1985

President Creamer and Members
of City Council

RE: Claim of Joseph Pandy, Jr., in the amount of
\$159.54

Dear President Creamer
and Members of City Council:

Claimant alleges that on April 13, 1985, his vehicle struck a chuckhole and broken concrete on Pettis Street, resulting in the loss of a tire. Claimant submits two estimates for the loss or replacement of the tire and seeks payment for the same in the amount of \$159.54 or \$160.10.

Review of the Public Service records indicates that the Public Service Department received two complaints concerning potholes at 1400 Pettis Street; reports were received on February 25, 1985 and March 13, 1985. Both of these holes were filled on the same day respectfully. No other reports were received between March 13, 1985 and the date of the incident, April 13, 1985.

Under Michigan law, a Municipality is immune from liability from damages caused by defective highways or streets unless the Municipality knew, or in the exercise of reasonable diligence should have known of the existence of the defect, and had a reasonable time to repair the defect before the injury took place. MCLA 691.1403; MSA 3.996(103).

Based on the foregoing statutory provisions and the facts presented, it appears that the City had no prior knowledge of the defect, and there is no evidence that the pothole had existed for such a length of time that the City should be held to have had notice of the matter.

Therefore, it is the recommendation of this office that this claim should be denied on the basis of Governmental immunity.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

May 23, 1985

President Charles Creamer and
Members of City Council

RE: Claim of Richard E. Perry in the amount of
\$250.00

Dear President Creamer
and Members of City Council:

Richard E. Perry filed a claim in the amount of \$250.00 for damage to his motor vehicle. Claimant states that on January 16, 1985, his daughter was driving his motor vehicle when it was struck by a Lansing Police car. Claimant is requesting that the \$250.00 deductible be reimbursed.

Information furnished to this Department by the Lansing Police Department indicates that on January 16, 1985, at approximately 12:40 p.m., Unit #30 was in the process of responding to a Breaking and Entering in Progress. The unit was proceeding east-bound on Hopkins. At the intersection of Hopkins and Foster, the unit slowed for the stop sign. The officer looked to his right for his back-up officer and neglected to look to his left. The unit proceeded into the intersection and was struck by the vehicle driven by Claimant's daughter. The unit's emergency lights and siren had not been

activated when the unit entered the intersection.

"Governmental agencies shall not be liable for bodily injury and property damage resulting from the negligent operation by any officer, agent, or employee of the governmental agency, of a motor vehicle of which the governmental agency is owner." MCLA 691.1405. In addition, under Michigan No-Fault Automobile Insurance laws, tort liability is statutorily imposed where the following conditions are met: "Damages up to \$400.00 to motor vehicles, to the extent that damages are not covered by insurance...Damages shall be assessed on the basis of comparative fault." MCLA 500.3135.

Based on the above-stated facts and law, it is the recommendation of this office that this claim be granted.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of \$250.00 payable to Richard E. Perry.

Adopted by the following vote:

YEAS: Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—7.

NAYS: Blair—I.

Date: 5/20/85

TO: President Creamer and Members, Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application - Culture Unlimited

Attached is an application for a parade permit from the above-referenced organization, scheduled for noon on Saturday, June 15, 1985, which has been signed by all the necessary departments.

Our personnel estimate this will cost the City a total of \$42.46, which represents two officers and two vehicles for one hour.

This is being sent to you for final action.

By COUNCILMEMBER SCHMIDT—

That we concur in the recommendation of the Police Chief and this parade permit be approved.

Carried.

Lansing Fire Department submits Annual Report.

Received and placed on file.

DATE: 5/22/85

TO: Council President Charles Creamer and Councilmembers—

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of correspondence from Dept. of Planning and Municipal Development.

RE: Trash Removal Assessment - U-28 July 1985 Tax Roll \$3,188.50.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and this Trash Removal Assessment in the amount of \$3,188.50 be placed on the July 1985 Tax Roll U-28.

Carried.

DATE: 5/23/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of correspondence from Public Service Department.

RE: Shiawassee Street Bridge Rehabilitation.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

DATE: 5/23/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of correspondence from the Finance Director

RE: Transfer of Funds

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Ways and Means.

DATE: 5/24/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of correspondence from the Public Service Department

RE: E.T. MacKenzie Co. Request to work extended hours.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER SCHMIDT—

That we concur in the recommendation of the Mayor and permission be granted for E. T. MacKenzie Co. to work nights and weekends at the Poxson Park site for Sanitary Sewer construction.

Carried.

RESOLUTIONS

By COMMITTEE ON GENERAL SERVICES—

Resolution #0238

Resolved by the City Council of the City of Lansing:

That the request from 3121 East, Inc., to add a Dance Permit and an Official Permit (Mis-1) for seasonal outdoor service in conjunction with a 1984 Bar-Hotel licensed business with Dance Permit located at 3121 East Grand River Avenue (Quality Inn), is hereby approved.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolution #0239

Resolved by the City Council of the City of Lansing:

That the request of Charles H. Aldrich for the transfer of ownership of a 1984 Class C liquor license located at 623 East Michigan Avenue (Silvio's Lounge) from Gennard De Marco, with license to be held in escrow pending new location, is hereby approved.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0240

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a citizen request for traffic control at the intersection of Ingham Street and Dunlap Street.

Now Therefore Be It Resolved, the Lansing City Council hereby approves the installation of Stop signs on Ingham Street at Dunlap Street.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0241

Resolved by the City Council of the City of Lansing:

Whereas the Transportation Division staff has recommended denial of a citizen request for traffic control at the intersection of Ingham Street and Fauna Street, and

Whereas, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a citizen request for traffic control at the intersection of Ingham Street and Fauna Street.

Now Therefore Be It Resolved, the Lansing City Council hereby approves the installation of stop signs on Ingham Street and on the driveway of Ingham Park at Fauna Street for a trial period of 180 days.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0242

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a citizen request for changes in the parking regulations on Fenton Street.

Now Therefore Be It Resolved, the Lansing City Council hereby approves the installation of a No Parking Zone on the north side of Fenton Street from Cedar Street to Wildwood Avenue.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0243

Resolved by the City Council of the City of Lansing:

Whereas, the Committee on Public Properties and Safety requested the Mayor and Traffic Board to investigate the possibility of removing the "No Right turn on Red Signal" restriction for westbound River Street traffic at Grand Avenue, and

Whereas, a joint recommendation from the Transportation Division, the Traffic Board, and the Mayor advising leaving the restriction in place due to sight restrictions and pedestrian safety considerations, and

Whereas, the Committee on Public Properties and Safety has reviewed the recommendation and determined that permitting right turns on red at this intersection has merit and deserves a trial period before acting on the recommendation from the Mayor and Traffic Board.

Now Therefore Be It Resolved, the Lansing City Council hereby requests the Transportation Division to immediately remove the "No Right Turn on Red Signal" restriction for westbound River St. traffic at Grand Ave. for a 120-day trial period, and

Be It Further Resolved, the Transportation Division Staff is requested to monitor the intersection during the trial for a report back to the Committee on Public Properties and Safety at the end of the 120-day trial period, or sooner if conditions warrant for safety reasons.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0244

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing, Michigan acquired the property now known as Crego Park for the purpose of providing recreational improvements for the residents of Lansing and surrounding areas, and

Whereas, this unique land has a small lake ideally suited for swimming and fishing, as well as low wet lands, wildlife, and abundant floodplain vegetation, and

Whereas, there is a remaining parcel critical to improved access and development of this park property, and also for the protection of the park's unique open space characteristics.

Now Therefore Be It Resolved, the City Administration is hereby authorized to submit an application to the Michigan Land Trust Fund for the acquisition of this remaining parcel as shown on the attached drawing, and

Be It Further Resolved, the City of Lansing agrees to 1) accept the title to the parcel, 2) assume management responsibility of the land, including any improvement as part of any overall development of Crego Park, and 3) ensure use of the land as a public park.

Adopted by the following vote:

Unanimously.

By THE COMMITTEE ON WAYS AND MEANS—

Resolution #0245

Resolved by the City Council of the City of Lansing:

Whereas, the Administration has developed an agreement with the Board of Water and Light to permit the construction of the North Grand Parking Garage Expansion and recommended its approval, and

Whereas, the Committee on Public Properties and Safety has reviewed the agreement and forwarded it to the Ways and Means Committee for review and an appropriation of funds, and

Whereas, the Ways and Means Committee has reviewed the agreement, recommends its approval, and also prepared an appropriation of funds to implement the agreement.

Now Therefore Be It Resolved, the Lansing City Council hereby authorizes the Mayor and City Clerk to execute the attached agreement.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolution #0246

Resolved by the City Council of the City of Lansing:

Whereas, the proposal of the 54-A District Court Judges to approve a 5% pay increase for FY-85 and a 5% for FY-86 for exempt, non-elected Court employees has been reviewed, and

Whereas, these raises are comparable to those granted City exempt, Teamster, and LIEU employees, and

Whereas sufficient funds are available in the Court budget for those increases.

Now Therefore Be It Resolved, that the 5% increases for exempt 54-A District Court employees be approved.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolution #0247

Resolved by the City Council of the City of Lansing:

Whereas, the City Council has pursued a consistent policy of encouraging and supporting public and private development of Lansing's riverfront, and

Whereas, the City Council adopted the Waterfront Development Plan which outlines the public commitment to Lansing's river system, and

Whereas, the City Council has consistently opposed any construction or development along the river system which would adversely impact the appearance, function, or safety of the riverfront, and

Whereas, an application for a height variance of 130 feet has been made to construct a 250 foot antenna support structure directly adjacent to the proposed riverwalk and the riverfront at the NW corner of River and Elm Streets.

Now Therefore Be It Resolved, the Lansing City Council does not support construction of this facility at this location because of the negative impact on the riverwalk and riverfront, and

Be It Further Resolved, that the existing height limitation of 120 feet allows sufficient height to construct facilities which would not impact the river system and, therefore, should not be increased.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$1,434.00 from District Court Sick Leave A/C 760-136-000-711
 \$2,500.00 from District Court Estimated Revenues A/C 760-000-000-160
 \$3,934.00 to District Court - Professional Services
 (Continued funding for legal fees related to contract negotiations, personnel issues, and visiting judges' fees.) A/C 760-136-000-801
 \$2,500.00 from Probation Salaries A/C 101-151-000-702
 \$2,500.00 to District Court Expenditures (Note: This \$2,500.00 becomes the funds in the District Court memo budget for Estimated Revenues.) A/C 101-136-000-700
 \$525.00 from Parks and Recreation Dept. General Fund Estimated Revenues A/C 101-000-000-160
 \$525.00 to Citizen Contributions (To buy sports uniforms for Midget Baseball program) A/C 101-692-000-956
 \$12,500.00 from Public Service Dept. - Equip. Purchases Service Garage A/C 640-970-000-985
 \$5,500.00 to Equipment A/C 640-536-000-977
 \$7,000.00 to Service Garage - Equip. Maint. (Purchase used replacement fuel distributor heads for gas pumps. Existing heads do not meet Fire Marshall's Safety Standards. Will improve accuracy of auto. fuel dispensing system.) A/C 640-960-000-933
 \$33,181.00 from Public Service-Pump Stations-Utilities A/C 590-550-000-920
 \$33,181.00 to Sewage Disposal Fund - Jerome St. Separation. (To fund Jerome St. Sewer Separation Project in conjunction with 1969 Storm Sewers & Drain Bond Fund transfer.) A/C 590-536-401-973
 \$1,000.00 from Public Service-Alley Maintenance Materials. A/C 101-449-000-782
 \$1,000.00 to Alley Maintenance-Wages. (Routine Maintenance-Wage account near depletion due to brush removal weeks of 4-29 and 5-6-85.) A/C 101-449-000-706
 \$448,200.00 from Public Service-Retained Earnings A/C 585-000-000-395
 \$448,200.00 to Parking System-N. Grand Garage Expansion. (Preliminary costs of construction of N. Grand Parking Garage expansion.) A/C 585-936-453-975
 \$33,181.00 from 1969 Storm Sewer & Drain Bond Fund A/C 401-000-000-390.3
 \$33,181.00 to Jerome St. Sewer Separation. (Additional funding needed, as bid was higher than estimated.
 \$100,000 appropriated from 1969 Storm Sewer and Drain Fund in FY 85-86.) A/C 401-787-010-974.695

I hereby certify that this is a properly drawn and eligible transfer.

James W. Dowsett
Finance Director

Approved:
James Blair
Patrick Lindemann
Tony Benavides
Ways and Means Committee

Adopted by the following vote:

Unanimously.

ORDINANCES

By COUNCILMEMBER LINDEMANN—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan, be amended by:

Repealing Sections 18-1 through 18-18, inclusive, of Chapter 18 for the purpose of providing for the regulation of Recycling Dealers by requiring their licensing in order to promote the public health, safety, and welfare of the citizens of the City of Lansing.

Adding a new Chapter 18, containing Sections 18-1 through 18-22, inclusive, to provide for the regulation of recycling dealers by requiring their licensing in order to promote the public health, safety, and welfare of the citizens of the City of Lansing,

and recommended that the ordinance be passed.

By COUNCILMEMBER LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the ordinance providing, that the Code of Ordinances, City of Lansing, Michigan, be amended by:

Repealing Sections 18-1 through 18-18, inclusive, of Chapter 18 for the purpose of providing for the regulation of Recycling Dealers by requiring their licensing in order to promote the public health, safety, and welfare of the citizens of the City of Lansing.

be placed on order of immediate passage.

By COUNCILMEMBER LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the ordinance providing, that the Code of Ordinances, City of Lansing, Michigan, be amended by:

Repealing Sections 18-1 through 18-18, inclusive, of Chapter 18 for the purpose of providing for the regulation of Recycling Dealers by requiring their licensing in order to promote the public health, safety, and welfare of the citizens of the City of Lansing.

be now passed.

No roll call was taken on the above ordinance.

Councilmember Adado asked that the repeal of the ordinance be held until the new ordinance had been discussed and acted upon.

Carried.

By COUNCILMEMBER LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by,

Adding a new Chapter 18, containing Sections 18-1 through 18-22, inclusive, to provide for the regulation of recycling dealers by requiring their licensing in order to promote the public health, safety, and welfare of the citizens of the City of Lansing,

be place on order of immediate passage.

By COUNCILMEMBER LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by,

Adding a new Chapter 18, containing Sections 18-1 through 18-22, inclusive, to provide for the regulation of recycling dealers by requiring their licensing in order to promote the public health, safety, and welfare of the citizens of the City of Lansing,

be now passed.

Councilmember Lindemann asked Bonnie Toskey from the City Attorney's office to explain the amendments as presented.

Bonnie Toskey made an explanation of each amendment separately.

Councilmember Lindemann presented the following:

Summary of recommended amendments to PPS approved draft of Recycler's Ordinance dated 5/23/85.

Page 1:

Line 22 - delete "for the purpose of this chapter" -redundant.

Line 26 - delete "commences on August 1." Add

instead "be that period from the first of August to and including the thirtieth day of April following." -clarifies intent.

Page 2:

Line 4 - delete "for the purpose of this chapter" -redundant.

Line 12 -delete Sec. 18-3 - contradictory to prior City position on tolerance of rats etc.

Line 20 -insert between "used" and "in", "set forth in Section 18-1A, except for buying or selling and" - clarifies meaning of "yard" and purpose of fence requirements.

Line 23 - delete "residence" and insert "property", shields view of commercial and other types of property as well.

Page 3:

Line 2 - delete "(B)" altogether if page 2 line 23 change is approved - eliminates possible interpretation of right to store material between fence and property line, or,

Line 3 - insert between "lines" and "any""or fence or birm" if page 2, line 23 change is not approved.

Line 14 - insert "other than Sundays or holidays" at beginning - smoother reading.

Line 18 - insert "other than Sundays or holidays" at beginning - smoother reading.

Line 22 - insert "on Sundays or holidays" at beginning - smoother reading.

Line 25 - delete "on Sundays and holidays".

Page 4:

Line 12 - insert between "obstruction" and "caused, "or debris" - covers material falling from trucks.

Line 24 - delete "item and" - unnecessary.

Section 18-7 be deleted.

Page 5:

Line 8 - insert between "record"and "the", "the item purchased or sold and" - simplifies.

Line 20 - delete "ordinance" and insert "chapter" in its place - consistency.

Line 21 - delete "whose main purpose is the picking up and hauling of scrap or discarded metal, second hand material, junk or rubbish and" - unnecessary - redundant as defined.

Page 6:

Line 12 - delete "Article" - substitute "Chapter" - consistency of terms.

Page 7:

Line 4 -delete "Article", insert "Chapter" - consistency.

Line 9 -delete "Section"-insert "Chapter"-consistency.

Line 10 - insert between "which" and "fee", "non-refundable" - clarifies.

Line 18 - delete "written" - not intent.

Line 22 - delete "Mayor and the City Council" and insert "City Clerk" - appropriate procedure.

Line 23 -insert between "written" and "recommendation", "report including a"- clarifies; delete "concerning" and insert "noting" - clarifies.

Line 26 - insert "Mayor and" at beginning of line.

Page 9:

Line 24 -delete "a new application or" - unnecessary - Council has never provided hearing upon denial of a new application.

Page 10:

Line 23 - substitute "18-20(B)(1) through subsection 18-20(B)(5)" - correction.

Page 11:

Line 1 - delete "conviction of such" - unnecessary

verbage.

Line 2 - delete "conviction of such" - unnecessary verbage.

Line 4 - delete "conviction of such" - unnecessary.

Line 5 - substitute "Chapter" for "Ordinance".

Councilmember Lindemann made a motion that the amendments be accepted and voted on excluding amendments for:

Page 2 - Line 23, the deletion of "residence" and insert "property" shields view of commercial and other types of property as well.

Page 3 - Line 2, delete "(B)" altogether if page 2, line 23 change is approved - eliminates possible interpretation of right to store material between fence and property line. OR

Motion seconded by Councilmember Benavides.

The amendments as presented excluding the above 2 were:

Adopted by the following vote:

Unanimously.

Councilmember Worthington asked many questions on the Ordinance.

Councilmember Worthington submitted an amendment that on page 9, line 15, strike the words "or will".

Motion seconded by Councilmember Blair.

The amendment was adopted by the following vote:

Unanimously.

Motion by Councilmember Benavides, seconded by Councilmember Lindemann, that on page 10, line 24, change the 30 days to 90 days.

Lost by the following vote:

YEAS: Councilmembers Adado, Benavides, Creamer—3.

NAYS: Councilmembers Belen, Blair, Lindemann, Schmidt, Worthington—5.

Much discussion was held.

Motion by Councilmember Adado, seconded by Councilmember Benavides, that on page 10, line 24, the 30 days be changed to read 60 days. Lost by the following vote:

YEAS: Councilmembers Adado, Benavides, Blair, Creamer—4.

NAYS: Councilmembers Belen, Lindemann, Schmidt, Worthington—4.

Much more discussion was held.

Councilmember Lindemann asked that his name be withdrawn from the Ordinance and that this ordinance be sent back to the Committee on Public Properties and Safety for further review.

Adopted by the following vote:

Unanimously.

REMARKS BY THE MAYOR

Grass cutting at cemeteries.

North Lansing Fun Fest to be held this weekend.

REMARKS BY CITY COUNCIL

Councilmember Lindemann wanted it noted that the Board of Water and Light requested to be included in

the Ordinance regarding the Washington Mall and Environs for the area from Grand to River Street for cleanup maintenance.

Also remarked about the budget money for extra horse for Potter Park being included in Parks Budget instead of Police Dept. Budget.

Councilmember Creamer remarked about too many automobiles parking at 333 N. Logan St. and grass being too high at property east of 805 Bancroft St.

Al Dutzy, representing the UAW, thanked City Council for their vote on resolution regarding height of tower in Riverwalk area.

John Boettjer and Al LeBlanc offered to work with Council for better Noise Control Ordinance.

William Hollister and James Anderson spoke regarding vote on Recycling Dealers Ordinance and offered to work with neighbors in area.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 11:15 P.M.

RITA BAUMAN,
City Clerk

May 28, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

241

Proceedings, June 3, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

June 3, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmembers Adado, Belen, Benavides, Creamer, Schmidt, Worthington—6.

Absent: Councilmembers Blair, Lindemann—2.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Benavides.

Pledge of allegiance.

By COUNCILMEMBER BENAVIDES—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting a certificate to Darcy McConnell, city government intern from Sexton High School, who worked for Council President Creamer.

Carried.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK FOR 3-MINUTES ON ANY ONE ITEM.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

Auctioneers: Charles Warfield and Lloyd Braun.
Beer and Wine Carryout: 7-11 store, 4020 S. Cedar St.

Referred to the Committee on General Services.

Petitions filed for rezoning:

a. Z-17-85 - 620 Leshar Place to be rezoned from "DM-3" Multiple Residential to "D-1" Professional Office District filed by Neogen Corp.

b. Z-18-85 - 3121 S. Cedar St. to be rezoned from "J" Parking to "F" Commercial District filed by Denver Harless.

Referred to the Mayor and Planning Board.

Petition filed for Special Land Use SLU-12-85, 620 Leshar Place to be used as office and research center filed by Neogen Corp.

Referred to the Mayor and Planning Board.

Application for Commercial Redevelopment District filed by Action Auto, Inc. at 6272 S. Logan Street.

Referred to the Mayor and Committee on Economic Development.

Petitions filed by residents requesting change of Health Central entrance and exit to parking lot.

Referred to the Mayor.

Capital Area Transportation Authority submits copy of their resolution approving the levy of additional millage rates.

Received and placed on file.

Superior Distributing Co. of Lansing, Inc. requesting co-sponsorship with the City for the "Run for Liberty".

Referred to the Mayor.

Michigan Department of Natural Resources submits extension of time for construction of project in the Red Cedar River for Permit No. 83-13-216.

Received and placed on file.

Michigan Public Service Commission submits notice of public hearing in the matter of the application of Consumers Power Co. for accounting and ratemaking approval of deferred tax accounting for its electric and gas operations.

Received and placed on file.

MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:

REPORTS OF COMMITTEES:

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

Auctioneers: Charles Warfield and Lloyd Braun.
Beer and Wine Carryout: 7-11 store, 4020 S. Cedar St.

Signed,

Sidney Worthington
Charles Creamer
Alfreda Schmidt
Committee on General Services

By COUNCILMEMBER WORTHINGTON—

That the report of the committee be adopted.

Adopted by the following vote:

Unanimously.

The Committee on General Services, to whom was referred the request from Councilmember Benavides for additional Hispanic Programming on Continental Cablevision's Lansing system, reports as follows:

The Committee met with Ron Hartman, Regional

Manager of Continental Cablevision, on May 17. It was determined that Cable Channel 29 carries inspirational programming for only four (4) hours per day by a local access group. Also Channel 29 is a designated community access channel under the franchise agreement, no institutional user is specified.

Mr. Hartman and the Committee agreed that Channel 29 shall remain a designated access channel but shall be programmed by Continental Cablevision to receive additional Hispanic programming by Satellite. This will meet a demonstrated need in the community. If technical problems do not permit such satellite reception, Mr. Hartman will report back to the Committee.

This Committee Report shall be filed with the franchise documents relating to Continental Cablevision.

Signed,

Sidney Worthington
Charles Creamer
Alfreda Schmidt
Committee on General Services

By COUNCILMEMBER WORTHINGTON—

That the report of the committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

DATE: 5/28/85

TO: President Creamer and Members, Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application - Mid-Michigan Antique Fire Apparatus Assn.

Attached is an application for a parade permit from the above referenced organization, scheduled for 9:00 a.m. on Saturday, June 29, 1985, which has been approved by all the necessary departments.

Our personnel estimate this will cost the City a total of \$42.46, which represents two officers and two vehicles for one hour.

This is being sent to you for final action.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Police Chief and this parade application be approved.

Carried.

DATE: 5/31/85

TO: President Creamer and Members, Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application - Miller Road Bible Church.

Attached is an application for a parade permit from the above referenced organization, scheduled for 10:00 a.m. on Saturday, June 8, 1985, which has been approved by all the necessary departments.

Our personnel estimate this will cost the City a total of \$21.23, which represents one officer and one vehicle for one hour.

This is being sent to you for final action.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Police Chief and this parade application be

approved.

Carried.

Finance Director submits Financial Statement of the Municipal Parking System - Quarterly Report ending March 31, 1985.

Referred to the Committee on Ways and Means.

May 28, 1985

Council President Charles Creamer and City Councilmembers

Dear President Creamer and Councilmembers:

I have attached two letters from our local State Senator, William A. Sederburg. As you can see from these letters, the Legislature likely will support several Lansing cultural projects in next year's appropriations.

I will continue to keep you informed regarding next year's "Equity" package. Of course, if you have any suggestions about it, I will be pleased to receive them.

I thank Senator Sederburg and other legislators for their work on behalf of the City.

Sincerely,

Terry J. McKane
Mayor

Received and placed on file.

May 30, 1985

Council President Charles Creamer and City Councilmembers

Dear President Creamer and Councilmembers:

Pursuant to Chapter 2, Section 2-28, of the Purchasing Ordinance, notification of the City Council is required when a bid other than the lowest bid is recommended for acceptance.

On March 26, 1985, three bids were received for purchases of TV/SEAL TRUCK SYSTEM for the Public Service Department.

This equipment is a highly technical system requiring greater security and care in selecting the best equipment available.

I have attached staff research and recommendations for your perusal.

Sincerely,

Terry J. McKane
Mayor

Received and placed on file.

DATE: 5/30/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Neogen Corporation.

RE: Acquisition of Oak Park School.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

DATE: 5/24/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from LeAnn Baker.

RE: Resignation from the Downtown Mall Advisory Board.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

DATE: 5/29/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Public Service Department.

RE: Trash in R.O.W. Removal Assessments for June, 1985 Tax Roll (V-10).

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and this Trash R.O.W. Removal Assessment be placed on the June 1985 Tax Roll (V-10).

Carried.

May 30, 1985

Council President Charles Creamer and City Councilmembers

Dear President Creamer and Councilmembers:

There is currently pending before the State Legislature amendments to the Municipal Finance Act that would permit the City of Lansing to sell Tax Anticipation Notes against the collection of property taxes, thereby permitting both the City of Lansing and other taxing units to earn additional investment dollars.

Council President Creamer and I have been monitoring this legislation and I have directed the Finance Department to do preparatory work in anticipation of favorable action by the State Legislature.

I recommend to you that this communication be referred to the Ways and Means Committee for discussion at their weekly meeting on June 6. I request an opportunity to fully discuss this matter with you at the Committee of the Whole meeting, also on June 6.

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee on Ways and Means.

DATE: 5/30/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Traffic Board.

RE: No Parking Requests: Just-A-Mere Avenue and Georgia Avenue.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 5/30/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Public Service Department.

RE: Hanel-Vance Construction Co. Request for Extended Work Hours - Frances Park Pumping Station.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and approve extended work hours for Hanel-Vance Construction Co. for work at Frances Park Pumping Station.

Carried.

DATE: 5/30/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Finance Director.

RE: Transfer of funds.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Ways and Means.

RESOLUTIONS

By COUNCILMEMBER ADADO—

Resolution #0248

Resolved by the City Council of the City of Lansing:

Whereas, May 26, 1985 was a day of loss for the City of Lansing as Millie M. Brown died at the age of 97, and

Whereas, Millie Brown began working for the City in 1932 and served continuously until her retirement in 1965, and

Whereas, she was first elected Lansing City Clerk on November 8, 1949 and won five consecutive re-election campaigns during her sixteen years as clerk, and

Whereas, in her years as Clerk, Millie Brown served as President of the Michigan Municipal Clerk's Association as well as a member of their board of directors, and

Whereas, in addition to her obvious ability as an

effective and efficient City Clerk, virtually everyone who knew Millie agreed she was a wonderful person.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby officially expresses its great sense of loss for this City as well as the real gratitude and pride which come with the knowledge that the public service career of Millie M. Brown reflected so positively on our community.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolution #0249

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department, determined that the building located at 312 S. Pennsylvania, legally described as:

S. 40 feet of Lot 1, Block 15, Plat of Green Oak Addition to the City of Lansing, 3301-15-311-161-8,

was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan, and

Whereas, a hearing was held by the Hearing Officers on March 28, 1985 at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe, and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan, and

Whereas, the City Council scheduled a hearing on May 20, 1985 to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building, and

Be It Further Resolved, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within thirty (30) days from the date of this resolution, and

Be It Further Resolved, that should the owner fail to substantially comply with the Hearing Officer's order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building, and

Be It Further Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located, and

Be It Finally Resolved, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next roll of the City of Lansing, and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolution #0250

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department, determined that the building located at 1211 Leslie Street legally described as:

Lot 121, City Park Subdivision, Lansing, Michigan, 3301-22-283-031,

was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan, and

Whereas, a hearing was held by the Hearing Officers on March 28, 1985 at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe, and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan, and

Whereas, the City Council scheduled a hearing on May 20, 1985 to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building, and

Be It Further Resolved, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution, and

Be It Further Resolved, that should the owner fail to substantially comply with the Hearing Officer's order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building, and

Be It Further Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located, and

Be It Finally Resolved, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the record. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next roll of the City of Lansing, and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER ADADO—

Resolved by the City Council of the City of Lansing

Whereas, by petition filed on April 15, 1985 thi

Council was petitioned to establish a Lansing Plant Rehabilitation District IPR-2-85, pursuant to Public Act 198 of 1974, and

Whereas, due notice has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 20th day of May, 1985, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is located at 2423 S. Cedar Street, more particularly known as:

Lots 8, 9, 102, and 105, Addmore Park Sub., City of Lansing, County of Ingham, State of Michigan, and

Whereas, this Council finds that this property is zoned for industrial uses and otherwise meets the requirements of P.A. 198 of 1974 and this Council's policies.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby established a Lansing Plant Rehabilitation District on the above described property.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTY AND SAFETY—

Resolution #0252

Resolved by the City Council of the City of Lansing:

Whereas, Michigan Avenue between the Grand River and Capitol Avenue is a central feature of the downtown Lansing area and offers the potential as a dramatic approach to the State Capitol, and

Whereas, accomodating pedestrian traffic is a prime concern in this area of downtown Lansing, as well as providing areas for compatible uses consistent and appropriate with the downtown Michigan Avenue area and State Capitol area, and

Whereas, a feasibility study to accomodate traffic, pedestrian mobility and parking on Michigan Avenue has been completed, and provides a concept that addresses these needs as well as the desire to dramatize the approach to the State Capitol.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby supports and encourages the development of the "Approach to the Capitol", and

Be It Further Resolved, that the conceptual design as presented in the study "Feasibility Study to Accomodate Traffic, Pedestrian Mobility, and Parking on Michigan Avenue" be a basis for further study and detailed design engineering, and that during this further study input regarding aesthetic and other features be encouraged from all interested citizens and groups, and finally,

Be It Further Resolved, that a letter indicating the City's full support of this conceptual plan, signed by the Council President and the Mayor be sent to those elected State and Federal officials that represent the City of Lansing.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0253

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing desires to encourage and support shopping and commercial activity in the downtown business area by improving and maintaining the Washington Mall and Environs area by providing landscape maintenance, planter tub maintenance, special cleanup employees, Mall and side street sidewalk snow removal, snow ridge cut throughs and mechanical sweeping, and

Whereas, the City of Lansing has determined that a prortion of the costs of providing such services should be recovered by a special assessment of them against properties benefitted, as authorized by Article II of Chapter 27A of the Lansing Code of Ordinances, and

Whereas, a May 28, 1985 public hearing was held in the City Council Chambers, 10th Floor, City Hall, Lansing Michigan in regards to the setting of the boundaries of the special assessment district, the estimated cost of the special assessment and the proposition of the amount to be assessed, and

Whereas, the Lansing Mall Advisory Board has reviewed the proposed services and proposed cost.

Now, Therefore Be It Resolved, that a special assessment district for the maintenance of the Washington Mall and Environs be established as follows:

Beginning at the intersection of N. Capitol and W. Shiawassee, E. on Shiawassee (S. Side only) to N. Grand Avenue (both sides) to Lenawee Street, W. on Lenawee (N. side only) to S. Capitol Avenue, N. on Capitol Avenue (both sides - exclude Reutter Park) to W. Allegan and on Capitol Avenue (E. side only) N. to point of beginning; also Washington Square from Shiawassee (both sides) S. to Lenawee Street; also the following East and West Streets from Capitol Avenue to Grand Avenue (both sides) Ionia, Ottawa, Michigan Avenue, Allegan, Washtenaw, and Kalamazoo, and

Be It Further Resolved, that the City of Lansing proposes that 50% of the planter tub maintenance and 100% of the costs of special clean-up employees, snow removal and mechanical sweeping within the special assessment district be recovered by a special assessment of these costs against the properties especially benefitted, and,

Be It Further Resolved, that the estimated cost of \$86,562 associated with this maintenance project shall be assessed against the properties situated within the boundaries of the above special assessment district and specifically benefitted for the above desribed services, and

Be It Further Resolved, that the City Assessor is requested to prepare an assessment roll assessing all Washington Mall properties on the basis of each property's total front footage for those services specifically provided and assessing all side street properties on the basis of each property's total front footage for those services specifically provided, and

Be It Further Resolved, that the special assessment roll shall be subscribed by the City Assessor and returned to City Council on or before June 17, 1985, and

Be It Further Resolved, that a public hearing to confirm the special assessment roll will be held on June 17, 1985 at 7:00 p.m. Monday in the City Council Chamber, 10th Floor, City Hall, Lansing, Michigan, and

Be It Finally Resolved, that the City Clerk publish notice of the hearing to confirm the special assessment

roll in a newspaper of general circulation for five (5) consecutive days prior to the date of the hearing and that such notice of the confirmation hearing be mailed to each owner or party in interest in property to be assessed.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER ADADO—

Resolved by the City Council of the City of Lansing:

That Councilmembers Blair and Lindemann be excused from the session.

Carried.

REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No remarks.

REMARKS BY THE CITY COUNCIL

Councilmember Adado spoke regarding the high winds on Friday May 31 and asked about branch pick-up by the City.

Councilmember Belen asked Parks Dept. to plant flowers in the downtown parks (Reutter and Durant Parks.)

Councilmember Benavides thanked Council for the Spanish Speaking Programming on Cable T.V.

Russell Clousing, 927 S. Washington, spoke regarding the concept of the approach to the Capitol.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 7:40 P.M.

RITA BAUMAN,
City Clerk

June 3, 1985

Lansing, Michigan

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, June 10, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

June 10, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Schmidt.

Pledge of allegiance.

PUBLIC HEARING

June 10, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Industrial Facilities Exemption Certificate for 2200 Olds Avenue filed by Industrial Welding, Inc.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed certificate they had the chance of speaking at this time.

No person spoke

Referred to the Committee on Economic Development.

PUBLIC HEARING

June 10, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Redevelopment District CRD-6-85, Northwest corner of Edgewood Blvd. and South Cedar Street filed by Fox and Associates, Inc.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed district they had the chance of speaking at this time.

No person spoke

Referred to the Committee on Economic Development.

PUBLIC HEARING

June 10, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed make-safe or demolish property located at 302 S. Larch Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed make-safe or demolish property they had the chance of speaking at this time.

Jim Smith, 300 S. Larch St., spoke and did not want the property demolished.

Referred to the Committee on General Services.

By COUNCILMEMBERS BELEN AND WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of allowing members of the Boarshead Theatre to speak and City of Lansing employees to speak.

Carried.

David Hayhow, Chairman of the Boarshead Board, spoke regarding special award to Barbara Carlisle, Producing Director, who is leaving after working for three years with the Theatre. He showed the special plaque awarded by Governor Blanchard to the Boarshead Theatre and presented to Barbara Carlisle in a special ceremony.

Speakers regarding letter received from Teamster Local 580 for Employees of the City of Lansing who are in arrears of dues to pay by June 14, 1985 or be discharged were:

Vern Taylor, 1822 Wesley Place
Kip Gomoll
Eleanor Love
Robert Ryan
Brenda Ballard, 5958 Haverhill

Mary Haney, a resident of North Lansing, spoke regarding slowness of negotiating city union contracts.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Resolution 1c4 was pulled from the agenda.

George Valilenko, 800½ E. Michigan, spoke regarding Communication #4.

Diane Burke spoke regarding transfer of funds for the Lansing Lyric Opera.

Mary Haney spoke regarding Communication 4b.

Beverly Miller spoke regarding Communication 4b.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been submitted for licenses:

Peddler: David H. Gipson.
Second Hand Dealer: Computer Consignments.
Sign Erector: Accent Signs.

Referred to the Committee on General Services.

2. Claims filed by:

a. Richard C. Helgren, 725 Irvington Ave., for damages to automobile from a falling tree at Sycamore

Park. (Insurance deductible amount.)

b. Sara West, 910 E. Shiawassee Apt. #2, for injuries received while attending festival at Riverfront Park.

c. Rolland Starr submits claim for sewer cleaning for Black and Tan Bar on River Street.

Referred to the Mayor and City Attorney.

3. Petitions filed for rezoning Z-19-85 - Between 6070 and 6200 South Logan Street to be rezoned from "A-1" Residential District to "E-2" Local Shopping District filed by Mario Dionise.

Referred to the Mayor and the Planning Board.

4. Petitions filed by residents:

a. Request for City street repair on East Michigan Ave. from downtown to Frandor, S. Hosmer to E. Kalamazoo and Larch Street near Motor Wheel Corp.

b. Sidewalk repair work on E. Grand River Ave. from Turner St. to Center St. on both sides of street.

Referred to the Mayor.

5. Letter from Jocelyn K. Davis, 3821 Stoneleigh Dr., regarding stop signs at intersection of LuWanna Dr. and Solomon Dr. and Champion Way and stop signs at intersection of Solomon Dr. and Stoneleigh Dr.

Referred to the Mayor and Traffic Board.

6. Wayne Magee submits letter for final plat approval of Manhattan Condominium Development.

Referred to the Mayor and Planning Board.

7. Michigan Department of Natural Resources submits two permits for construction within the floodplain of the Grand River:

a. City of Lansing for addition to existing parking garage.

b. Robert E. Smith, 1449 Christopher St., for construction of a garage.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA:

Mayor's letters 4a (Resolution authorizing the Micro-filming of original records), 4b (Proposed Radio Maintenance Contract), 4c (Hanel-Vance Construction Co. request for Extended Work Hours, Frances Park Pump Station), and 4d (Board Reappointments).

REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

Peddler: David H. Gipson.

Second Hand Dealer: Computer Consignments.

Sign Erector: Accent Signs.

Signed,

Sidney Worthington

Alfreda Schmidt

Charles Creamer

Committee on General Services

By COUNCILMEMBER WORTHINGTON—

That the report of the Committee be approved.

Approved by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

June 5, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Marie K. Coats, Request for Removal of Special Assessment for Parcel #3301-35-151-031.

Dear President Creamer
and Members of City Council:

On April 1, 1985, claimant Marie Coats submitted a claim with the City alleging that the weed cutting assessment on the above parcel was improper and should be removed from her tax bill. She alleges, and this office verified, that on June 12, 1984, she paid for weed cutting on the above parcel by a private contractor and that the contractor had cut the lawn on June 5, 1984.

Information furnished to this office by the Building Division reveals that a notice to abate was sent on the above property on May 23, 1984 with a reinspection date of June 2, 1984. The weeds were not cut on the reinspection date and on June 5, 1984 an order was issued to the City contractor to cut the grass and bill for services. The contractor submitted an invoice in the amount of \$20.00 for weed cutting done on June 15, 1984.

It appears from the records and inquiry that proper notice was given, no action was taken by claimant to cut the weeds within the allowed time (10 days) and the order to abate was properly issued and executed pursuant to City Ordinance, Chapter 21, Sections 12 and 13. However, prior to June 5, 1984 the claimant cut the grass growing on the lot so that there was insufficient growth of grass to constitute a nuisance when the City's contractor cut the grass on June 15, 1984. Therefore, it is the opinion of this office that the City was without legal power to cut the grass at that time and assess the cost against the claimant's property.

Therefore, based on the above, it is the recommendation of this office that the special assessment be removed from this parcel.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this special assessment be removed from this parcel.

Carried,

DATE: 6/5/85

TO: President Charles Creamer and Members,
Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application - American Legion
Boys State

Attached is an application for a parade permit from the above-referenced organization, scheduled for 8:15 a.m. on Wednesday, June 19, 1985, which has been approved by all the necessary departments.

Our personnel estimate this will cost the City a total of \$554.74, which represents one Sergeant, twelve Police Officers and thirteen vehicles for two hours.

This is being sent to you for final action.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Police Chief and this parade permit be approved.

Carried

June 6, 1985

President Charles Creamer and Members
of the City Council

Dear President Creamer and Members
of the City Council:

Attached is a letter of intent to rehabilitate property
at 1525 N. High Street submitted by Jesse Lopez, a
Project Coordinator in the Human Resources Depart-
ment.

Sincerely,

Rita Bauman
City Clerk

Received and placed on file.

DATE: 6/5/85

TO: City Council President Charles Creamer
and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Administrative Services Director

RE: Resolution Authorizing the Microfilming of Original
Records.

The attached correspondence is submitted with my
concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on General Services.

DATE: 6/5/85

TO: City Council President Charles Creamer
and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Chief Richard Gleason.

RE: Proposed Radio Maintenance Contract.

The attached correspondence is submitted with my
concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and
Safety.

DATE: 6/5/85

TO: City Council President Charles Creamer
and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director of Public Service.

RE: Hanel-Vance Construction Company Request for
Extended Work Hours (Frances Park Pump
Station).

The attached correspondence is submitted with my
concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER SCHMIDT—

That we concur in the recommendation of the Mayor
and the Hanel-Vance Construction Company be allowed
to work extended hours on the Frances Park Pump
Station.

Carried.

June 6, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

I herewith submit to you for your consideration and
confirmation the reappointment of Dr. Joan Jackson
Johnson to the Human Resources Advisory Board.
The term will expire in June, 1989.

I trust you will give careful consideration to the
reappointment of Dr. Johnson to this Board.

Best personal regards,

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor
and Dr. Joan Jackson Johnson be reappointed to the
Human Resources Advisory Board.

Carried.

June 6, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

I herewith submit to you for your consideration and
confirmation the reappointment of Dr. Edward Remick
to the Planning Board. The term will expire in June,
1989.

I trust you will give careful consideration to the
reappointment of Dr. Remick to this Board.

Thank you for your cooperation.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor
and Dr. Edward Remick be reappointed to the Planning
Board.

Carried.

June 6, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

I herewith submit to you for your consideration and
confirmation the reappointment of Barry Crown to the
Park Board. The term will expire in June, 1989.

I trust you will give careful consideration to the
reappointment of Mr. Crown to this Board.

Thank you for your cooperation.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor
and Barry Crown be reappointed to the Park Board.

Carried.

June 6, 1985

June 6, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

I herewith submit to you for your consideration and confirmation the reappointment of Michael Mitchell to the Park Board. The term will expire in June, 1989.

I trust you will give careful consideration to the reappointment of Mr. Mitchell to this Board.

Thank you for your cooperation.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor and Michael Mitchell be reappointed to the Park Board.

Carried.

June 6, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

I herewith submit to you for your consideration and confirmation the reappointment of Virgil Langworthy to the Planning Board. The term will expire in June, 1989.

I trust you will give careful consideration to the reappointment of Mr. Langworthy to this important Board.

Thank you for your cooperation.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor and Virgil Langworthy be reappointed to the Planning Board.

Carried.

June 6, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

I herewith submit to you for your consideration and confirmation the reappointment of Lelio Alfredo Casola to the Human Resources Advisory Board. The term will expire in June, 1989.

I trust you will give careful consideration to the reappointment of Mr. Casola to this Board.

Thank you for your cooperation.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor and Lelio Alfredo Casola be reappointed to the Human Resources Advisory Board.

Carried.

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

I herewith submit to you for your consideration and confirmation the reappointment of Elmer Manson to the Historic District Commission. This term will expire in June, 1988.

I trust you will give careful consideration to the reappointment of Mr. Manson to this Board.

Thank you for your cooperation.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor and Elmer Manson be reappointed to the Historic District Commission.

Carried.

June 6, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

I herewith submit to you for your consideration and confirmation the reappointment of Ford Cesar to the Historic District Commission. This term will expire in June, 1988.

I trust you will give careful consideration to the reappointment of Mr. Cesar to this Board.

Thank you for your cooperation.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor and Ford Cesar be reappointed to the Historic District Commission.

Carried.

June 6, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

I herewith submit to you for your consideration and confirmation the reappointment of Argelio (Ben) Perez to the Civic Center Board. This term will expire in June, 1989.

I trust you will give careful consideration to the reappointment of Mr. Perez to this Board.

Thank you for your cooperation.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor and Argelio (Ben) Perez be reappointed to the Civic Center Board.

Carried.

June 6, 1985

Carried.

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

I herewith submit to you for your consideration and confirmation the reappointment of Ernest (Sam) Pardee to the Public Service Board. This term will expire in June, 1989.

I trust you will give careful consideration to the reappointment of Mr. Pardee to this important Board.

Thank you for your cooperation.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor and Ernest (Sam) Pardee be reappointed to the Public Service Board.

Carried.

June 6, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

I herewith submit to you for your consideration and confirmation the reappointment of Dr. Patricia Shinsky to the Human Relations Board. This term will expire in June, 1989.

I trust you will give careful consideration to the reappointment of Dr. Shinsky to this important Board.

Thank you for your cooperation.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor and Dr. Patricia Shinsky be reappointed to the Human Relations Board.

Carried.

June 6, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

I herewith submit to you for your consideration and confirmation the reappointment of Bruce E. McComb to the Board of Water and Light. This term will expire in June, 1989.

I trust you will give careful consideration to the reappointment of Mr. McComb to this important Board.

Thank you for your cooperation.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor and Bruce E. McComb be reappointed to the Board of Water and Light.

June 6, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

I herewith submit to you for your consideration and confirmation the reappointment of Rodrigo Santa Ana to the Board of Police Commissioners. This term will expire in June, 1989.

I trust you will give careful consideration to the reappointment of Mr. Santa Ana to this important Board.

Thank you for your cooperation.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor and Rodrigo Santa Ana be reappointed to the Board of Police Commissioners.

Carried.

June 6, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

I herewith submit to you for your consideration and confirmation the reappointment of Geri Roossien to the Human Resources Advisory Board. This term will expire in June, 1989.

I trust you will give careful consideration to the reappointment of Ms. Roossien to this Board.

Thank you for your cooperation.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor and Geri Roossien be reappointed to the Human Resources Advisory Board.

Carried.

June 6, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

I herewith submit to you for your consideration and confirmation the reappointment of Howard Lutz to the Board of Electrical Examiners. Mr. Lutz will move from the "Contractor" position on this board to the "Citizen" position. This term will expire in June, 1989.

I trust you will give careful consideration to the appointment of Mr. Lutz to this Board.

Thank you for your cooperation.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor

and Howard Lutz be reappointed to the Human Resources Advisory Board.

Carried.

RESOLUTIONS

Public Improvement V

By THE COMMITTEE ON GENERAL SERVICES—

Resolution #0254

Resolved by the City Council of the City of Lansing:

That the supplementary special assessment roll for 61-K, Demolition:

923 Michigan Ave. - \$7,105.00
3306 S. Larch - \$3,660.00
119 Garden Street - \$3,505.00
TOTAL: \$14,270.00

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and is hereby directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll on or before September 10, 1985.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolution #0255

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council adopted a resolution on March 4, 1985, which outlines the overall Council program direction to the Internal Audit Department, and,

Whereas, Item (E) of said resolution prescribes that Internal Audit provide a program audit of at least four departments or departmental operations annually to determine whether the department or division is managing and utilizing its resources (such as personnel, property, space) economically and efficiently, the cause of inefficiencies or uneconomical practices, and whether the department or division has complied with policies concerning matters of economy and efficiency, and,

Whereas, the Council wishes to be apprised as to whether or not the desired results or benefits established by the City Council, the Mayor, or the department are being achieved and whether the department or division has considered alternatives that might yield desired results at lower cost.

Now, Therefore Be It Resolved, that the Administration is requested to have all departments and divisions establish performance goals and objectives which are qualitative and/or quantitative in nature and results-oriented, in conjunction with approved work programs to serve as internal management tools and as criteria for program audits.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolution #0256

Resolved by the City Council of the City of Lansing:

That the request of the Gaelic League of Lansing to sell beer and wine in Riverfront Park as part of the annual Ethnic Festival, July 4-6, 1985, is hereby approved, provided all necessary administrative actions

are completed without objection.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolution #0257

Resolved by the City Council of the City of Lansing:

That the request of the Lansing Liederkrantz to sell beer and wine in Riverfront Park as part of the annual Ethnic Festival, July 4-6, 1985, is hereby approved, provided all necessary administrative actions are completed without objection.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolution #0258

Resolved by the City Council of the City of Lansing:

That the request of Catholic Social Services to hold a one-day community fundraising event on Saturday, June 29, 1985, at Riverfront Park, including sale of beer and wine, is hereby approved, provided all necessary administrative actions are completed without objection.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER BLAIR—

I move that this resolution be substituted for the one in the packet of Council items.

Carried.

Resolution #0259.

Tax Anticipation Note Borrowing Resolution

At a regular meeting of the City Council of the City of Lansing, Michigan, held on the 10th day of June, 1985.

PRESENT: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, and Worthington.

ABSENT: NONE.

The following preamble and resolution were offered by Councilmember Blair and seconded by Councilmember Benavides:

Whereas, there are pending amendments to Act 202 (as hereinafter defined) which will authorize the City to borrow money for the purposes hereinafter described, and,

Whereas, it is necessary to adopt a preliminary borrowing resolution in anticipation of the passage of the legislation, and,

Whereas, the City of Lansing (the "City") expects to be authorized by Section 3b of Chapter IV of Act 202 of the Public Acts of Michigan, as amended, MCL 131.1 et. seq. ("Act 202"), to borrow money and issue its notes ("Notes") in anticipation of the collection of all or part of the ad valorem real property taxes to be levied on July 1, 1985 (the "Levy Date"), on real property located within the corporate boundaries of the City by the City and by any or all of the other units of government for which the City is the local property tax collecting unit pursuant to Act 206 of the Public Acts of Michigan of 1893, as amended, MCL 211.1 et. seq. ("Act 206"), including the Lansing School District, the Holt Public Schools, the Ingham Intermediate School District, and Lansing Community College (collectively, the "Units"), and,

Whereas, the City expects to be further authorized by Act 202 to distribute to itself and to the Units the proceeds of such notes together with sufficient amounts of the initial tax collections, if needed, to effect a 100% funding of the taxes levied, thereby providing the City and the Units with an improved cash flow for local budget purposes, and,

Whereas, the City has provided notice to each of the Units of its intent to issue such notes, and,

Whereas, pursuant to such notice, the Units have each adopted or are expected to adopt a resolution to consent to and request the issuance of the notes and to authorize the execution of an agreement with the City dated as of July 1, 1985 (collectively, the "Tax Levy Agreements") to set forth the responsibilities of the City and each Unit with respect to the notes, and,

Whereas, the issuance of such notes will serve a public purpose, and,

Whereas, the City hereby determines to borrow an amount not to exceed \$31,500,000 and issue its tax anticipation notes to evidence such borrowing.

Now, Therefore Be It Resolved as Follows:

1. In addition to the words and terms defined in the preamble, the following words and terms as used in this resolution (the "Note Authorizing Resolution") shall have the following meanings:

"Bank" refers to Bankers Trust Company.

"Indenture" refers to the Indenture of Trust dated as of July 1, 1985, by and between the City and the Trustee.

"Letter of Credit" refers to the irrevocable direct Letter of Credit issued by the Bank in favor of the Trustee for the benefit of the holders of the Notes.

"Letter of Credit Agreement" refers to the Letter of Credit Agreement dated as of July 1, 1985, by and between the Bank and the City, which provides for the issuance of the Letter of Credit by the Bank.

"Note Purchase Agreement" refers to the Note Purchase Agreement dated as of July 1, 1985, by and between the City and the Bank, which provides for the initial purchase of the Notes by the Bank.

"Notes" refers to the City's Tax Anticipation Variable Rate Demand Notes, Series 1985.

"Official Statement" refers to the Official Statement dated as of the date of its issuance and pertaining to the Notes.

"Pledge Agreement" refers to the Pledge and Security Agreement dated as of July 1, 1985, between the Bank and the City.

"Purchaser" refers to Bankers Trust Company in such capacity.

"Remarketing Agent" refers to Bankers Trust Company in such capacity.

"Remarketing Agreement" refers to the TENR Services and Remarketing Agreement dated as of July 1, 1985, between the Remarketing Agent and the City.

"Tax Levy" means the ad valorem real property taxes levied by the Units and the City on the Levy Date on real property located within the corporate boundaries of the City but shall not include any industrial facilities taxes levied pursuant to Act 198 of the Public Acts of Michigan of 1974, as amended, commercial facilities taxes levied pursuant to Act 255 of the Public Acts of Michigan of 1978, as amended, or tax increment revenues levied pursuant to Act 450 of the Public Acts of Michigan of 1980, as amended.

"Tender Agent" refers to Bankers Trust Company in such capacity.

"Tender Agent Agreement" refers to the Tender Agent Agreement dated as of July 1, 1985, between the Tender Agent, the Trustee, and the City.

"Trustee" refers to that entity designated as Trustee under the Indenture by the City and approved by the Bank prior to the issuance of the Notes.

2. The City shall borrow an amount not to exceed \$31,500,000 and issue in anticipation of the pledged portion of the Tax Levy, the Notes pursuant to Act 202. The exact amount of the borrowing shall be determined by further resolution of this Council prior to the issuance to the Notes. Provided, that the notes shall not be issued until the pending amendments to Act 202 shall have been enacted into law.

3. The Notes shall bear interest at a maximum rate of twelve percent (12%) per annum and shall be issued and payable upon the terms and conditions, including certain rights and obligations of redemption, acceleration and purchase prior to maturity as set forth in the Indenture and the form of note to be approved by this Council at a later date.

4. The principal of and interest on the Notes shall be payable primarily from and secured by the Trust Estate, to be defined in the Indenture, including without limitation, (i) amounts held from time to time in the Funds created under the Indenture, (ii) the Revenues, as defined in the Indenture, and (iii) the rights of the City under the Tax Levy Agreements, all in the manner and as set forth in the Indenture, which Trust Estate shall be assigned pursuant to the Indenture by the City to the Trustee for the benefit of the Bank, as the issuer of the Letter of Credit, and the holders of the Notes.

5. The Notes and the obligations of the City under the Letter of Credit Agreement, Remarketing Agreement, Tender Agent Agreement, Pledge Agreement, and Note Purchase Agreement shall be general obligations of the City, secured by its full faith and credit, which shall include the City's limited tax obligation within applicable charter, statutory, and constitutional limits. Should the Trust Estate, as defined in the Indenture, prove insufficient for the payment of principal of and interest on the Notes or the satisfaction of the City's obligations under the Letter of Credit Agreement, Note Purchase Agreement, Remarketing Agreement, Tender Agent Agreement, or Pledge Agreement, the City shall pay the principal of and interest on the Notes or satisfy such obligations as a first budget obligation from its general funds including the levy of ad valorem taxes on all taxable property in the City, subject to constitutional, statutory, and charter tax limitations. The City does not have the power to levy taxes for payment of the principal of and interest on the Notes or to satisfy its obligations under the Letter of Credit Agreement, Remarketing Agreement, Tender Agent Agreement, Pledge Agreement, and Note Purchase Agreement in excess of its charter, statutory and constitutional limitations.

6. The Notes shall be sold at a private sale to the Purchaser pursuant to Act 202 in accordance with the Note Purchase Agreement. A notice of sale of the Notes shall be published in a publication approved by the Michigan Department of Treasury within 45 days after delivery of the Notes to the Purchaser in conformity with Act 202.

7. All fees, charges and costs associated with the issuance of the Notes shall be paid in accordance with the terms of the Indenture.

8. The Mayor and the City Clerk are authorized and directed to execute and deliver the Notes, in the manner set forth in the Indenture, in substantially the form to later be approved with such necessary and appropriate

immaterial variations, omissions, corrections and insertions as required, for and on behalf of the City.

9. The form and substance of the Indenture, Letter of Credit Agreement, Note Purchase Agreement, Remarketing Agreement, Tender Agent Agreement, Pledge Agreement, and Tax Levy Agreements shall be approved by further resolution of this Council prior to issuance of the Notes. The Mayor and the City Clerk are authorized and directed to execute and deliver the Indenture, Letter of Credit Agreement, Note Purchase Agreement, Remarketing Agreement, Tender Agent Agreement, Pledge Agreement, and Tax Levy Agreements in substantially the form approved with such necessary and appropriate immaterial variations, omissions, corrections and insertions as required, for and on behalf of the City.

10. The Notes shall be delivered with the unqualified legal opinion of Miller, Canfield, Paddock, and Stone, bond attorneys of Lansing and Detroit, Michigan, who are designated as note counsel with respect to the Notes.

11. The Mayor, City Clerk, City Assessor, City Treasurer, City Attorney, Finance Director and/or City Controller are authorized and directed to execute and deliver such other certificates, affidavits or other documents or instruments as may be required by the Indenture, Letter of Credit Agreement, Note Purchase Agreement, Remarketing Agreement, Tender Agent Agreement, Pledge Agreement, and Tax Levy Agreements and/or convenient to effectuate the execution and delivery of such documents or the Notes.

12. The City Controller be and is hereby directed to file Application to the Michigan Department of Treasury for approval to issue the Notes.

13. All actions taken on behalf of the City by the City Treasurer, the City Controller, the City Attorney, or other officials of the City with respect to the issuance of the Notes, including negotiations with the Bank, Purchaser, Remarketing Agent, Tender Agent, Trustee and Units, are ratified.

14. This Note Authorizing Resolution shall be effective immediately upon adoption.

15. All resolutions or parts of resolutions in conflict with this Note Authorizing Resolution shall be, and the same are, rescinded.

YEAS: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

NAYS: None.

Resolution declared adopted, this 10th day of June, 1985.

I hereby certify that the attached is a true and complete copy of a resolution adopted by the City Council of the City of Lansing, Counties of Ingham and Eaton, State of Michigan, at a regular Meeting held on the 10th day of June, 1985, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that minutes of the meeting were kept and will be or have been made available as required by said Act.

Rita Bauman
City Clerk

By COUNCILMEMBER ADADO—

Resolution #0260

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District CRD-7-85, proposed by Action

Auto, Inc. for 6273 S. Logan St. and more particularly described as:

Com at intn of NW LY R/W line S. Logan St. and N LY line ramp B I-96; Th S. 89° 24' 10" W 32.41' along N LY line ramp B to E ½ line, N 01° 09' 50" E 592' along ½ line, S 49° 28' 52" E 102.15', SE LY 164.73' on 612.96' radius curve to th chord bearing S 37° 59' 59" E 164.24', S 45° 41' 56" E 162.6' to NW LY R/W Line S. Logan St., S 44° 19' 43" W 396.46' along R/W line to Beg; Sec 7, T3N, R2W.

Now, Therefore Be It Resolved, the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District, and

Be It Further Resolved, such hearing be held at the Council Chambers in the City Hall on the 1st day of July, 1985, at 7:00 p.m., and that notice of such hearing be published in a publication of general circulation in said City.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolution #0261

Resolved by the City Council of the City of Lansing:

Whereas, Richard Mulder, Sr. was born June 25, 1885 in Groningen, The Netherlands, and,

Whereas, at the age of 23, Mr. Mulder emigrated to the United States and in 1912, he began a 38-year career with Motor Wheel Corporation, retiring at the age of 67 in 1952, and,

Whereas, as of last count made in 1983, Mr. Mulder had 30 grandchildren, 93 great-grandchildren, 78 great-great-grandchildren, and two great-great-great-grandchildren, all of whom have been invited to gather for a 100th Birthday Celebration for Grand-Pa Mulder.

Now, Therefore Be It Resolved, the Lansing City Council hereby offers heartfelt congratulations and continuing best wishes to Richard Mulder, Sr. on the occasion of his 100th Birthday.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolution #0262

Resolved by the City Council of the City of Lansing:

Whereas, William Alessandrini has been selected to receive the Marjorie A. Moore (MAM) Make-A-Mark Award for his exceptional contributions to our community, and,

Whereas, this award will be presented at the Blossom Time Ball on June 7, 1985 sponsored by the Greater Lansing Association for Retarded Citizens, and,

Whereas, William Alessandrini has been a resident of Lansing for ten years, resides at Moore Living Center and works at Bretton Square Industries, and,

Whereas, Bill is currently serving as President of the Residents' Board at Moore Living Center, and,

Whereas, Bill has shared his experience as a hand-capper in presentations to physicians at Michigan State University and Ingham Medical Center, and,

Whereas, Bill was the subject of a remarkable video presentation produced by Continental Cablevision in which he touched many Lansing residents as he stressed the need for self advocacy and community enrichment.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby officially salutes William Alessandrini on this special occasion, and

Be It Further Resolved, on behalf of all the citizens of Lansing, we extend hearty congratulations to Bill Alessandrini for being this year's recipient of the Marjorie A. Moore (MAM) Make-A-Mark Award.

Adopted by the following vote:

Unanimously.

Councilmember Blair left the meeting.

By COMMITTEE OF THE WHOLE—

Resolution #0263

Resolved by the City Council of the City of Lansing:

Whereas, in August of 1979, M. Cecil Mackey arrived in East Lansing as Michigan State University's 16th President, and

Whereas, Dr. Mackey has made significant contributions in the development of the Lansing area's economy as well as to higher education during his Presidency, and

Whereas, during his tenure as President, Dr. Mackey demonstrated a sensitivity and willingness to cooperate with both private and public agencies to enhance the economic climate of the Greater Lansing area, and

Whereas, Dr. Mackey worked diligently with local officials to secure Lansing as the location for Motor Wheel's World Headquarters, and

Whereas, Dr. Mackey has been instrumental in promoting the growth of high-tech and research and development firms in Lansing by assisting the Michigan Biotechnology Institute to locate here.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby officially designates June 17, 1985 as Cecil Mackey Day in the City of Lansing, and

Be It Further Resolved, on behalf of all the citizens of Lansing we express our deepest appreciation to Dr. Mackey for his contribution as a man of courage and action who will be missed and whose positive mark on this community will be felt for many years to come, and

Be It Finally Resolved we wish Dr. Mackey and his family every possible success in future endeavors.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolution #0264

Resolved by the City Council of the City of Lansing:

Whereas, the City Council has reviewed this proposed contract with the F.O.P. Parks Security bargaining unit, and

Whereas, the Mayor has recommended its approval, and

Whereas, this agreement has been ratified by the membership of the bargaining unit.

Now, Therefore Be It Resolved, that the proposed labor contract between the F.O.P. Parks Security Unit and the City of Lansing for the period July 1, 1984 through June 30, 1987 be hereby approved, and

Be It Further Resolved, that the Budget Director is hereby authorized to make the appropriate transfers administratively in the FY 85 and FY 86 budgets necessary to fund this agreement.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER SCHMIDT—

That we separate the transfer for the Lansing Lyric Opera in the amount of \$2500.00 and vote it separately.

Carried.

Councilmember Blair returned to the meeting.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$353.00 from General Fund - Estimated Revenue	A/C 101-000-000-160
\$353.00 to Citizen Contribution (purchase of baseball shirts and hats)	A/C 101-692-000-956
\$227.70 from Estimated Earnings	A/C 101-000-000-160
\$227.70 to Citizen Contributions (purchase of midge baseball shirts and hats)	A/C 101-692-000-956
\$17,000.00 from Reserve for Contingency	A/C 101-941-000-963
\$17,000.00 to Planning and Municipal Dev., Bldg. Div. Equip. (Purchase of 12 mini-cassette recorders and chargers, 3 transportation units and 8 hand-held radios)	A/C 101-860-380-977
\$53,999.00 from Estimated Revenues	A/C 101-000-000-160
\$53,999.00 to Parks and Rec. Potter Park Complex (appropriation of estimated revenues less estimated estimated direct expenditures, from operation of the parking fee at Potter Park.)	A/C 101-936-204-971
\$1,400.00 from Vehicles and Misc. Equipment	A/C 640-970-000-985
\$1,400.00 to Public Service - Admin. & Gen. Equip. (purchase of a portable two-way radio for use by the O&M Asst Supt.)	A/C 640-536-000-977

(The balance in the Reserve for Contingency Fund after this transfer is \$172,336.28).

I hereby certify that this is a properly drawn and eligible transfer.

Jan Lazar
Budget Director

Approved:
James Blair
Pat Lindemann
Tony Benavides
Ways and Means Committee

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER BLAIR—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

\$3,350.00 from Reserve for Contingency	A/C 101-941-000-963
\$3,350.00 to Grounds Oper. - Wages Temp. Help (provide for seasonal laborer to plant & maintain flowers in Reuter, Durant, and Riverfront Parks)	A/C 101-718-100-707

I hereby certify that this is a properly drawn and eligible transfer.

Jan Lazar
Budget Director

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

\$2000.00 from Reserve for Contingency	A/C 101-941-000-963
\$2,000.00 to Community Beautification Program (Purchase of plant materials for volunteer beautification projects.)	A/C 101-915-000-957

(The Balance in the Reserve for Contingency after this transfer is \$167,836.28.)

I hereby certify that this is a properly drawn and eligible transfer.

Jan Lazar
Budget Director

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS--

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

\$2,500.00 from Reserve for Contingency A/C 101-941-000-963
\$2,500.00 to Lansing Lyric Opera (contract with
Lyric Opera for performance June 28) A/C 101-934-126-969

(The balance in the Reserve for Contingency Fund after this transfer is \$167,836.28.)

I hereby certify that this is a properly drawn and eligible transfer.

Jan Lazar
Budget Director

Signed,
James Blair
Tony Benavides
Pat Lindemann
Committee on Ways and Means

The transfer as amended was adopted by the following vote:

YEAS: Adado, Belen, Benavides, Blair, Lindemann, Worthington—6.

NAYS: Creamer, Schmidt—2.

By COUNCILMEMBER BLAIR—

That this transfer for the Lansing Lyric Opera be amended by changing the amount to \$3,000.00.

Adopted by the following vote:

Unanimously.

BY COUNCILMEMBERS BENAVIDES AND LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the Agenda.

Carried.

Letter and petitions received in regard to obtaining TV Programs in the Spanish Language for the Greater Lansing Hispanic Community from Continental Cablevision of Lansing.

Received and placed on file.

June 10, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer
and City Councilmembers

As you are all aware, interest rates are dropping. The City of Lansing, in 1983 and in 1984, issued a total of \$24 million debt funded through its Wastewater Treatment Fund to implement the 201 Facilities Plan. It is possible that significant savings in debt service costs could be made if we refunded those existing bond issues.

"Refunding" is a process of issuing new debt at substantially lower rates and using those proceeds to provide payment of the debt service for the existing higher interest rate debt. This is now permissible for revenue bond issues under recent legislative amendment to Act 94.

I am recommending that we initiate the steps to

enable us to refund one or both of the existing high coupon sewer issues. We will not determine by these actions whether or not to actually refund the issues, but only enable us to start the process.

I am asking for referral of this matter to appropriate committee(s) as the timing is such that we will want to be able to act in the current interest rate market. Attached is a memo from the Budget Director on this outlining the schedule of events and the City Attorney's office has prepared a requested authorization for use of outside legal services.

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee of the Whole.

June 10, 1985

President Charles Creamer
and Members of City Council

RE: Outside Legal Counsel for Tax Anticipation Notes and 1984-85 Sewer System Improvement Bond Refunding.

Dear President Creamer
and Members of City Council:

Recent decreases in interest rates may make it financially advantageous for the City to refinance its outstanding sewer bonds which were issued at higher rates. Additionally, recent changes in State law may make it possible for the City to issue tax anticipation notes and benefit financially thereby.

To engage in these financially advantageous activities it is necessary for the City to retain outside legal counsel to provide legal and financial expertise with regard to the bonding issue.

Based on the fact that they have acted as bond counsel with regard to the sewer system improvement bonds which are to be refunded and because they have special expertise with regard to the tax anticipation notes which must be issued very promptly, this office recommends and requests approval of retaining the firm of Miller, Canfield, Paddock, and Stone to assist the City in this matter. Their fees for assistance in the sewer bond refunding will be at their usual hourly rate and for the tax anticipation note issue they will be one dollar for each \$1,000 of notes issued.

In light of the very severe time restraints with regard to the tax anticipation notes, your immediate attention to this request would be appreciated.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this outside legal counsel for this project be approved.

Carried.

By COUNCILMEMBER LINDEMANN—

That the resolution adopted last week setting a public hearing for the special assessment district for the Washington Mall and Environs be reconsidered and the following one be substituted as the description of the district was in error.

Carried.

By PUBLIC PROPERTIES AND SAFETY COMMITTEE—

Resolution #0265

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing desires to encourage and support shopping and commercial activity in the downtown business area by improving and maintaining the Washington Mall and Environs area by providing landscape maintenance, planter tub maintenance, special clean-up employees, Mall and side street sidewalk snow removal, snow ridge cut throughs and mechanical sweeping, and

Whereas, the City of Lansing has determined that a special assessment district should be established for special assessment, and

Whereas, the City of Lansing has determined that a portion of the costs of providing such services should be recovered by a special assessment of them against properties especially benefitted as authorized by Article II of Chapter 27A of the Lansing Code of Ordinances, and

Whereas, the City of Lansing is in the process of contracting for the maintenance of the Washington Mall and Environs area including landscape maintenance, planter tub maintenance, special clean-up employees, Mall and side street sidewalk snow removal, snow ridge cut throughs and mechanical sweeping, and

Whereas the Lansing Mall Advisory Board recommends that the estimated cost of \$86,562 for providing the services under the proposed maintenance program be assessed against the properties situated within the boundaries of the Special Assessment District and that the services be provided to those properties as set forth in the proposed maintenance program.

Now, Therefore Be It Resolved, that the City Council of the City of Lansing proposes to establish a special assessment district for the maintenance of the Washington Mall and Environs area as follows:

Beginning at the intersection of N. Capitol and W. Shiawassee, E. on Shiawassee (S. Side only) to Grand Avenue, S. on N. Grand Avenue (both sides) to Lenawee Street, W. on Lenawee (N. side only) to S. Capitol Avenue, N. on Capitol Avenue (both sides - exclude Reutter Park) to W. Allegan and on Capitol Avenue (E. side only) N. to point of beginning; also Washington Square from Shiawassee (both sides) S. to Lenawee Street; also the following East and West Streets from Capitol Avenue to Grand Avenue (both sides) Ionia, Ottawa, Michigan Avenue, Allegan, Washtenaw, and Kalamazoo, and

Be It Further Resolved, that the City of Lansing proposes that 50% of the planter tub maintenance and 100% of the costs of special clean-up employees, snow removal and mechanical sweeping within the special assessment district be recovered by a special assessment of these costs against the properties especially benefitted, and,

Be It Further Resolved, that the estimated cost of \$86,562 associated with this maintenance project shall be assessed against the properties situated within the boundaries of the above special assessment district and specifically benefitted for the above described services, and

Be It Further Resolved, that the City Assessor is requested to prepare an assessment roll assessing all Washington Mall properties on the basis of each property's total front footage for those services specifically provided and assessing all Side Street Environs properties on the basis of each property's total front footage for those services specifically provided, and

Be It Further Resolved, that the special assessment roll shall be subscribed by the City Assessor and returned to City Council on or before June 17, 1985,

and

Be It Further Resolved, that a public hearing to confirm the special assessment roll will be held on June 17, 1985 at 7:00 p.m. Monday, in the City Council Chambers, 10th Floor, City Hall, Lansing, Michigan, and

Be It Finally Resolved, that the City Clerk shall publish notice of the hearing to confirm the special assessment roll in a newspaper of general circulation for five (5) consecutive days prior to the date of the hearing and that notice of the confirmation hearing be mailed to each owner or party in interest in property to be assessed.

Adopted by the following vote:

Unanimously.

REMARKS BY THE MAYOR OR HIS EXECUTIVE ASSISTANT:

Arts Festival in Downtown Lansing this weekend.

Sidewalk repair report.

Update on the sewer interceptor work throughout the City.

Curb and Gutter repair report.

REMARKS BY THE COUNCIL:

Councilmember Schmidt spoke regarding local street repair of Sunnyside Ave. and Lyons Ave. south of Mt. Hope. Also questioned drain interceptor work for Sycamore area.

Councilmember Benavides questioned status of Priggooris Park.

Councilmember Blair remarked that Northrup and S. Washington intersection needs working traffic light for certain periods of day.

Councilmember Adado remarked that catchbasins on south side of Lansing were in need of cleaning from storm. Council was informed that Cavanagh Rd. in front of WILS was scheduled for repair in 1986.

Councilmember Belen announced the southeast corner Holmes and Logan was in need of clean-up.

Much discussion was held regarding recent wind storm damage to trees and leaves in the City.

By COUNCILMEMBER SCHMIDT—

That the Mayor be requested to have a brush pick-up throughout the City.

By COUNCILMEMBER BELEN—

That we amend this motion to be sent for consideration to the Ways and Means Committee.

Much discussion held.

By COUNCILMEMBER BELEN—

That I withdraw my motion to amend.

By COUNCILMEMBER SCHMIDT—

I amend by motion to include "leaves, limbs, and brush pick-up."

Failed by the following vote:

YEAS: Adado, Benavides, Schmidt—3.

NAYS: Belen, Blair, Creamer, Lindemann, Worthington—5.

By COUNCILMEMBER ADADO—

That people be authorized to use any kind of bags for

pick-up of leaves and the City conduct a 2 week pick-up of bags starting tomorrow.

Carried.

Adopted by the following vote:

YEAS: Adado, Belen, Benavides, Blair, Lindemann, Schmidt—6.

NAYS: Creamer, Worthington—2.

David Pizana spoke regarding the Ethnic Festival and the Mexican Patriotic Community being represented.

Robert Gonzales, Assistant Pastor, Calvary Baptist Church, questioned group participation and the Parks rules and regulations.

Cruz Hernandez appealed for help through City Council to participate in the Ethnic Festival.

Problem was referred to the Mayor and Council-member Lindemann asked the administration to bring recommendation to their meeting this week.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 10:05 P.M.

RUTH WARD,
Deputy City Clerk

June 10, 1985

Lansing, Michigan

259

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, June 17, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

June 17, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Benavides.

Pledge of allegiance.

By COUNCILMEMBER BELEN—

That the Council Proceedings of April 29, 1985, May 6, and the Special City Council Meeting of May 9, 1985 and May 13, 1985 be approved.

Carried

By COUNCILMEMBER BENAVIDES—

That the City Council Proceedings of May 13, 1985 be corrected as follows:

That on page 199 under the item of Z-3-85-406 E. Holmes Rd. to be rezoned from "A" Single Family District to "F" Commercial District

That the Proceedings show that Gary Andrews of 560 Brookland Blvd. spoke in opposition to the rezoning.

Carried

PUBLIC HEARING

June 17, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Washington Mall Maintenance Contract in regard to setting of boundaries of special assessment district, estimated cost of the special assessment, and the proportion of the amount to be assessed.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Washington Mall Maintenance Contract they had the chance of speaking at this time.

No persons spoke

Referred to the Committee on Public Properties and Safety.

By COUNCILMEMBER SCHMIDT—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting Sgt. Joseph Kapinski, District Coordinator of the Mid-Michigan Management of the Emergency Management Program who introduced Richard Winsett, President of Michigan Management

Emergency Association. Mr. Winsett presented James Holcomb, Emergency Director of the City of Lansing an award of honor plaque naming him Director of the Year.

Council President Creamer announced three rows of participants for Boys State and had them stand in recognition.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK FOR ONLY 3-MINUTES ON ANY ONE ITEM.

Gary Andrews spoke in regard to Letter #8 and Resolution #10.

Motion by Councilmember Adado extended his speaking time for 3 minutes.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for Licenses:

Public Driver: Robert D. Ruttan, Jr.
Mechanical Amusement Device: West Side Recreation.
Automobile Wrecker Service: Automart, Inc. (Davis Pontiac-Buick-GMC), Wood's Okemos Shell, Inc., Northside Service, Duane's Lake Lansing-Abbott Shell, Bill's Heavy Duty Wrecker Service, Inc.

Referred to the Committee on General Services.

Claim filed by Mrs. Kathrine Jones, 1519 Roselawn, for marker damaged by lawnmower at Evergreen Cemetery.

Referred to the Mayor and City Attorney.

Petition filed for rezoning Z-20-85-1626 and 1628 S. Cedar St. to be rezoned from "C" Residential District to "F" Commercial District filed by Gary L. Potter.

Referred to the Mayor and Planning Board.

Card of appreciation from the family of Millie M. Brown.

Received and placed on file.

Action Auto, Inc. files request for Commercial Redevelopment District and application for Commercial Facilities Exemption Certificate at 7000 S. Cedar St.

Referred to the Mayor and the Committee on Economic Development.

Application for Commercial Facilities Exemption Certificate filed by Quality Dairy for 2100 S. Washington Ave.

Referred to the Mayor and the Committee on Economic Development.

Request for tentative preliminary approval of Lawrence Subdivision filed by Roy Markey.

Referred to the Mayor and Planning Board.

Gary Andrews, 560 Brookland Blvd., submits a letter for correction of Council Proceedings of May 13, 1985.

June 13, 1985

TO: Rita Bauman, City Clerk, City of Lansing

FROM: Gary Andrews, 560 Brookland Blvd., Lansing, MI 48910

RE: Correction of Council Proceedings of 5/13/85.

On 6/11/85 I reviewed a copy of The Official Proceedings of the City Council of the City of Lansing, dated 5/13/85, and noticed that no reference was included regarding my comments made at the Public Hearing on Z-3-85-406 E. Holmes Rd.

The existing public record states that, "No objections were made...", which is not true. I made comments in objection and requested that this item be tabled until the DNR has had a chance to conduct an investigation of chemicals buried on that site in 1979 by the Lansing School District.

I would like to request that appropriate Council action be taken to make a correction of this mistake in the public record, that a copy of this request, and the corrected record of the 5/13/85 Public Hearing, including my comments, be printed in the Proceedings of the Council's 6/17/85 meeting.

This request is made to satisfy the requirements of the Michigan Open Meetings Law. (Act No. 267 of 1976 as amended by Act No. 256 of 1978.)

If necessary, I shall supply the appropriate legal authorities a copy of the tape recording of the actual public hearing, and the incorrect public record, as evidence for an action to assure the citizens of Lansing that the public record will in fact reflect the truth regarding the issue of Z-3-85.

Thank you for your attention to this important matter.

Copy to President Charles Creamer and Members of the City Council, and Ingham County Prosecuting Attorney's Office.

Received and filed - (Action taken earlier on Agenda.)

Rod Merten, Director, Impression 5 Museum, submits request for permission to launch 200 rockets on September 23.

Referred to the Mayor.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA:

Letters 2e (Appointment of Grady Porter and Phil Dorland to Downtown Mall Advisory Board); 2f (Appointment of David Osborn to Board of Police Commissioners); 2g (Appointment of Fred Porter to Lansing Housing Commission); and 2h (Appointment of Harold Mingus and Howard Ivey as temporary Directors to EDC for Greater Lansing Board of Realtors Project.)

REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following Licenses and Bonds

Public Driver: Robert D. Ruttan, Jr.
Mechanical Amusement Device: West Side Recreation.
Automobile Wrecker Service: Automart, Inc. (Davis Pontiac-Buick-GMC), Wood's Okemos Shell, Inc.,

Northside Service, Duane's Lake Lansing-Abbott Shell, Bill's Heavy Duty Wrecker Service, Inc.

Signed,

Sidney Worthington
Charles Creamer
Alfreda Schmidt
Committee on General Services

By COUNCILMEMBER WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The Committee on General Services, to whom was referred the Ordinance to amend Chapter 26 by revising Sections 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42, and 26-44 for the purpose of updating the General Employees Retirement System Ordinance, reports as follows: That said Ordinance be approved.

Signed,

Sidney Worthington
Charles Creamer
Committee on General Services

By COUNCILMEMBER WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

June 14, 1985

President Charles Creamer
and Members of City Council

RE: Edgewood Boulevard

Dear President Creamer
and Members of City Council:

Recent proceedings and negotiations with regard to the Edgewood Boulevard case have resulted in a proposed settlement of the Edgewood Boulevard lawsuit. Pursuant to a Scheduling Order agreed to by the parties and entered in the case by Judge Hillman, that settlement proposal is being presented to you for your consideration and acceptance or rejection.

Essentially, the proposal provides that the current Restraining Order preventing the City from proceeding with Edgewood Boulevard would be dissolved and the case filed by the Cooperatives against the City would be dismissed and that the City could proceed with Edgewood Boulevard subject to the following conditions:

(1) The City would agree that it would not utilize the existing portion of Edgewood Boulevard within the Cooperatives as part of Edgewood Boulevard but, instead, would utilize "Alternate C" which bypasses the Cooperatives to the south utilizing a portion of the existing I-96 freeway right of way. While the City would be permitted to connect a portion of the boulevard which currently passes through the Cooperatives to the proposed Edgewood Boulevard on the west end, the City would agree not to connect the east end at any time in the future unless agreed to by the Cooperatives. Additionally, the City would agree to shelter the Cooperatives from Edgewood Boulevard by planting 3 to 5 foot cedar trees along the north side of Alternate C where it bypasses the Cooperatives. The City would also rename the portion of Edgewood Boulevard within the Cooperatives and agree that any

excess fill dirt generated in constructing Edgewood Boulevard would be made available for the Cooperatives for their use at their expense in berming. Additionally, the City would recommit itself to the construction of Edgewood Boulevard and specifically agree to complete "Phase I" of the construction project extending the Boulevard from South Cedar to South Washington Avenue in 1986.

Pursuant to the Federal District Court's Scheduling Order, your consideration and acceptance or rejection of this proposed settlement is required. In the event you accept the proposal or you make a counter proposal which is acceptable to the other parties in the lawsuit, it is also necessary for you to make a formal determination that the City desires to proceed with Edgewood Boulevard along the proposed Alternate C route and that you request approval by the Michigan Department of Transportation of the utilization of the portions of I-96 right of way necessary to proceed with Alternate C.

A resolution specifying that the Alternate C route will be used and requesting the requisite permission from the Michigan Department of Transportation is submitted with this letter for your consideration.

In light of the Court's Scheduling Order, your expeditious consideration of this matter is requested.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That the City Attorney's letter be considered read.

Carried.

Much discussion was held.

By COUNCILMEMBER CREAMER—

I move to amend Councilmember Benavides' motion. Council President Creamer turned the gavel over to Council Vice President Benavides so as to make the following motion.

By COUNCILMEMBER CREAMER—

I move to accept the recommendation of the City Attorney with the limitation that the City will appropriate all necessary funds to construct Edgewood Boulevard in 1986 and will exercise its best efforts to complete construction in 1986 or as soon thereafter as possible.

Adopted by the following vote:

YEAS: Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—7.

NAYS: Blair—1.

By COMMITTEE OF THE WHOLE—

Resolution #0266

Resolved by the City Council of the City of Lansing:

Whereas, the City Council desires to construct Edgewood Boulevard for the purpose of alleviating excessive traffic on Miller Road and promoting orderly development of the area to be served thereby, and

Whereas, the City has caused to be prepared and has fully considered a full environmental impact statement analyzing the impacts of construction of that boulevard and alternative routes for it, and

Whereas, numerous public hearings on the alternative routes for Edgewood Boulevard have previously been held before the City Council, and

Whereas, the construction of Edgewood Boulevard along the route designated in said environmental

impact statement as "Alternative C" appears best suited to achieve all of the above goals with acceptable environmental impact.

Now Therefore Be It Resolved, that the City Council of the City of Lansing hereby designates the "Alternative C" route for Edgewood Boulevard as its preferred route for that road, and

Be It Further Resolved, that the City Council hereby requests permission and authorization from the Michigan Department of Transportation to utilize that portion of the right of way for Interstate Highway 96 as is necessary to construct that portion of the "Alternative C" route which bypasses existing cooperative housing units to the South, and

Be It Further Resolved, that all prior determinations as to the route of Edgewood Boulevard are hereby rescinded, and

Be It Finally Resolved that the City of Lansing through its Mayor is hereby authorized to take such further action as is necessary to secure authorization to utilize Interstate Highway 96 right of way as is necessary for the construction of Edgewood Boulevard along the "Alternative C" route.

Adopted by the following vote:

Unanimously.

June 13, 1985

President Charles Creamer
and Members of City Council

RE: Redemption of Liability in Workers' Compensation Matter Entitled George Drake v. City of Lansing.

Dear President Creamer
and Members of City Council:

Claimant began employment with the City in 1971 as a maintenance worker in the Parks and Recreation Department. He injured his back on the job in June of 1972 while driving a tractor. As a result of the injury, claimant underwent a series of back surgeries. Pain in his back and legs prohibited resumption of regular work duties and he last worked for the City in March of 1973 at which point he was terminated.

The City voluntarily paid Workers' Compensation benefits following the injury in the amount of \$93.08 per week and all medical expenses including surgeries. Benefits were terminated for a time when claimant was employed as a security supervisor in 1981 and 1982. Claimant then petitioned for resumption of benefits and a trial was held on January 18, 1983. An open award was entered on February 8, 1983 by an Administrative Law Judge and the City has again been paying \$93.08 a week and all medical expenses since that time.

Mr. Drake is currently 37 years of age and the prognosis by treating physicians is poor. Wage benefits alone for the next thirty years would amount to \$145,204.80.

Based on the above, it is the recommendation of this office that the City's future Workers' Compensation liability be redeemed in the amount of \$11,758.26.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be redeemed in the amount of \$11,758.26.

Carried.

June 13, 1985

President Charles Creamer
and Members of City Council

RE: Redemption of Liability in Workers' Compensation
Matter entitled Robert Burge v. City of Lansing.

Dear President Creamer
and Members of City Council:

In accordance with Article IV, Chapter 3, Section 4-304.7 of the Lansing City Charter, this office requests your authority to close the above captioned matter by redeeming the City's Workers' Compensation liability for the sum of \$10,000.00.

Mr. Burge began employment with the City Parks and Recreation Department on May 24, 1957 as a zookeeper. A fall at work in 1973 resulted in a broken wrist. Surgery was performed but the fracture presented reoccurring problems which caused Mr. Burge to discontinue work in April of 1975. The City has voluntarily paid Workers' Compensation benefits since that time in the amount of \$99.00 per week.

A recent medical re-evaluation concluded that insofar as the wrist is concerned, Mr. Burge could return to work. Although it appears that Mr. Burge is no longer disabled due to the injury for which compensation was paid, it is unlikely that he could successfully return to work considering his overall physical condition.

The City could file a petition to terminate benefits, however it is highly unlikely that the matter would be tried and an order entered earlier than two years in the future. Even then, if the City were to prevail, an appeal would be likely which would realistically extend the matter four to five years during which time the City would be required to continue paying benefits.

Based on the above facts, it is the recommendation of this office that the Workers' Compensation matter be redeemed for \$10,000.00

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be redeemed in the amount of \$10,000.00

Carried

PROCLAMATION

Whereas, The Great American Race is a controlled time/speed/distance driver ability test, taking place over 9 to 10 days and covering approximately 3300 miles across the United States, and

Whereas, The Great American Race is an example of the traditional American enthusiasm for ingenuity and rugged perseverance, with the purpose of reaffirming the beauty and nostalgia of the Golden Age of Automobile, and

Whereas, The Great American Race is sanctioned by the Sports Car Clubs of America and is dedicated to automobile appreciation and safety in Lansing and throughout the nation, and

Whereas, The Great American Race is among the most prestigious and richest vintage vehicle competitions in the world and is an event of historical significance.

Now, Therefore, I, Terry J. McKane, Mayor of the City of Lansing, by the power vested in me, do hereby proclaim Monday, July 1, 1985, as "The Great American Race" in Lansing, and urge all citizens of this community to join with me in applauding this competition and its participants.

Given under my hand and the Seal of the City of Lansing this twelfth day of June in the year of Our Lord one thousand nine hundred and eighty-five.

Terry J. McKane
Mayor

June 13, 1985

Council President Charles Creamer
and Lansing City Councilmembers

Dear President Creamer
and City Councilmembers

Attached is a letter which was received in my office from Dick Carroll, Executive Director of the Convention/Visitor's Bureau of Greater Lansing. Mr. Carroll is requesting co-sponsorship by the City of Lansing or The Great American Race which will be coming through Lansing on July 1, 1985.

Mr. Carroll is asking if the City will assume the cost of the Civic Center parking lot. The estimated cost is \$397.00 This amount includes the cost of the lot as well as the wages of two attendants. (\$285.00 lot rental, \$7.00 per hour for 8 hours for each attendant.)

Lansing is one of three cities in the State of Michigan to be chosen as a stopping point in this Los Angeles, California to New York City race. (See the attached letter for full details.)

My staff is working with the Parks and Recreation Department on the request for the picnic tables.

I recommend that the City co-sponsor this event and assume this cost.

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety and the Committee on Ways and Means.

June 13, 1985

Council President Charles Creamer
and Lansing City Councilmembers

Dear President Creamer
and City Councilmembers

Thank you for referring the attached letter regarding co-sponsorship of a conference regarding problems of adolescent pregnancy to me for recommendation.

I believe that we have established an excellent relationship with County government over the past several years. And the proposed conference would be a very valuable one to many Lansing residents.

Additionally, I understand that members of the Council suggested that Ms. Tubbs make this request for co-sponsorship and donation. (You have discussed the establishment of a policy regarding co-sponsorship on several occasions. However, the City currently does not have one in effect.)

I estimate the cost of this request to the City would be \$2,000.00.

In light of the above, I recommend that the City co-sponsor this conference and donate the use of the Civic Center as requested.

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety and Committee on Ways and Means.

June 13, 1985

Council President Charles Creamer
and Lansing City Councilmembers

Dear President Creamer
and City Councilmembers

As you may recall, I recently appointed Jean Tubbs to the Lansing Fire Board subject to Council confirmation.

You referred the appointment to the Public Properties and Safety Committee. As the attached correspondence indicates, the Committee asked me to withdraw her nomination. As I have replied, this would not be appropriate. Currently, my nomination is "tabled" in Committee.

The Fire Board is one of our most important City agencies. It is important that it have eight active, concerned members.

Jean Tubbs is an experienced community leader. She would be an excellent member of this Board.

I ask that you discharge Ms. Tubbs' name from the Committee. It is important that she be considered by the full Council. (Of course, if Council would prefer not to confirm Ms. Tubbs for any reason, I will be pleased to submit the name of another qualified candidate.)

As always, I appreciate your timely, careful consideration of my appointees to City boards and commissions.

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

June 13, 1985

Council President Charles Creamer
and Lansing City Councilmembers

Dear President Creamer
and City Councilmembers

I herewith submit to you for your consideration and confirmation the appointments of Grady J. Porter and Phil Dorland to the Downtown Mall Advisory Board.

Mr. Porter resides at 745 W. Lenawee. He has been involved in community affairs for many years and currently is vice chairman of the Ingham Board of Commissioners.

Mr. Dorland is the Assistant Director of the Parks and Recreation Department.

I trust you will give careful consideration to the appointment of Mr. Grady Porter and Mr. Phil Dorland to this Board.

Thank you for your consideration.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER LINDEMANN—

That we concur in the recommendation of the Mayor and appoint Grady Porter and Phil Dorland to the Downtown Mall Advisory Board.

Carried.

June 12, 1985

Council President Charles Creamer
and Lansing City Councilmembers

Dear President Creamer
and City Councilmembers

I herewith submit to you for your consideration and confirmation the appointment of David Osborn to the Board of Police Commissioners. The term will expire in June, 1989.

Mr. Osborn resides at 705 N. Walnut and is the President of the Lansing Neighborhood Council. He also serves as President of the Downtown Neighborhood Organization and is a member of the Lansing staff of the Michigan Municipal League.

I trust you will give careful consideration to the appointment of Mr. David Osborn to this Board.

Thank you for your consideration.

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

June 13, 1985

Council President Charles Creamer
and Lansing City Councilmembers

Dear President Creamer
and City Councilmembers

I herewith submit to you for your information the appointment of Mr. Fred R. Porter to the Lansing Housing Commission.

Mr. Porter resides at 3700 W. Holmes Rd. and is an active community member.

Best personal regards,

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee of the Whole.

June 13, 1985

Council President Charles Creamer
and Lansing City Councilmembers

Dear President Creamer
and City Councilmembers

I herewith submit to you for your consideration and confirmation the appointment of Howard Ivey and Harold Mingus as Temporary Directors for the Greater Lansing Board of Realtors project.

Both of these gentlemen serve as Temporary Directors on other EDC projects.

I trust you will give careful consideration to the appointment of Howard Ivey and Harold Mingus to this important Board.

Best personal regards,

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER ADADO—

That Councilmember Blair be excused from voting on these appointments inasmuch as he is a member of the Board of Realtors.

Carried.

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor and appoint Howard Ivey and Harold Mingus as temporary directors for the Greater Lansing Board of Realtors Project.

Councilmember Blair was excused from voting.

Adopted by the following vote:

Unanimously.

DATE: 6/11/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Norman L. Clouthier.

RE: Notice to not seek re-appointment to the Capital Region Airport Authority in October.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

DATE: 6/11/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Parks and Recreation Department.

RE: Cost of removal of four female Boxelder trees on private property.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 6/11/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Department of Transportation.

RE: Transfer of passenger car #4319 to Lansing-North Lansing Railroad Museum.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

DATE: 6/13/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Department of Planning and Municipal Development.

RE: Weed Cutting Assessment for L-27 December 1985 Tax Roll \$2,466.25.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and the Weed Cutting Assessment in the amount of \$2,466.25 be placed on the December 1985 Tax Roll.

Carried.

DATE: 6/13/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Department of the Army.

RE: Acknowledgement and thanks for services provided by James Spackman and Department of Planning and Municipal Development.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

DATE: 6/13/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Alan Tubbs, Director of Planning and Municipal Development.

RE: Industrial Facilities Exemption Certificate - Application Review.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Referred to the Committee on Economic Development.

DATE: 6/12/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Finance Director.

RE: Transfer of funds.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to Committee on Ways and Means.

RESOLUTIONS

By COMMITTEE ON GENERAL SERVICES—

Resolution #0267

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 302 S. Larch Street, legally described as:

N ½ Lot 1, John's Subdivision

was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan, and

Whereas, a hearing was held by the Hearing Officers on February 28, 1985, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan, and

Whereas, the City Council scheduled a hearing on June 10, 1985 to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe.

Now Therefore Be It Resolved, that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building, and

Be It Further Resolved, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution, and

Be It Further Resolved, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building, and

Be It Further Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located, and

Be It Finally Resolved, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolution #0268

Resolved by the City Council of the City of Lansing:

Whereas, Michigan Statutes permit the substitution of microfilm for original records in legal proceedings providing the filming is authorized by the governing body, that the filming is done as part of the normal course of business and that the equipment, film, and filming operations meet or exceed the microfilming quality standards established by the Central Microfilm Laboratory of the Michigan Department of Management and Budget, and

Whereas, the Microfilm Section of the Operational Services Division of the Administrative Services Department produces microfilmed records as a normal course of City business, and

Whereas, the Central Microfilm Laboratory of the Michigan Department of Management and Budget has

found that the Microfilm Section is capable of producing archival quality microfilm.

Now Therefore Be It Resolved, that the Microfilm Section of the Operational Services Division of the Administrative Services Department is authorized to microfilm original City records and these microfilmed records are authorized for use as a legal substitute for the original records.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE

Resolution #0269

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on May 13, 1985, this Council was petitioned to establish a Lansing Commercial Redevelopment District CRD-6-85, pursuant to Public Act 255 of 1978, and

Whereas, due notice has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 10th day of June, 1985, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is located at the Northwest Corner of Edgewood Boulevard and South Cedar Street, more particularly described as:

The easterly 300 feet of property parallel to Cedar Street of the parcel of land described as follows:

A parcel of land in Sections 9 and 10, T3N, R2W, City of Lansing, Ingham County, Michigan, described as:

Commencing at the Southwest Corner of said Section 10; thence north 00° 03' 22" West, 1422.16 feet; thence North 68° 38' 48" East, 1532.18 feet to the survey line of Highway US-127; thence North 27° 58' 02" West along said survey line, 2318.37 feet; thence North 85° 22' 34" West, 71.21 feet to a point on the Southwesterly right of way line of Cedar Street and the point of beginning; thence North 27° 58' 02" West along said right of way line, 412.09 feet to a point of ending of free access right of way and the point of beginning of limited access right of way; thence North 27° 58' 02" West, 680.80 feet to a point of ending of limited access and the point of beginning of free access right of way; thence South 62° 01' 58" West, 60.00 feet; thence South 09° 14' 18" East, 100.00 feet; thence South 28° 13' 10" West 100.00 feet; thence South 56° 42' 10" West 78.18 feet; thence South 48° 12' 29" West, 100.00 feet; thence South 32° 29' 32" West, 100.00 feet; thence South 16° 46' 35" West, 100.00 feet; thence South 01° 03' 38" West, 100.00 feet; thence South 14° 39' 18" East, 100.00 feet; thence South 30° 22' 15" East, 100.00 feet; thence South 46° 05' 12" East 100.00 feet; thence South 61° 48' 09" East, 100.00 feet; thence South 77° 31' 06" East, 100.00 feet; thence South 85° 22' 34" East, 487.48 feet to the point of beginning, and

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for commercial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity.

Now Therefore Be It Resolved, that the City Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-6-85 on the above described property, and

Be It Further Resolved, the City Council is considering the enactment of a revised policy for the issuance of commercial tax abatement certificates. It is understood that the creation of this district and the issuance of this certificate, when applied for, will be approved utilizing

the new policy if that policy has been approved by July 1, 1985.

By COUNCILMEMBER ADADO—

That this resolution be corrected to read August 1, 1985 in the last line.

Carried.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolution #0270

Resolved by the City Council of the City of Lansing:

Whereas, many chairs and other furniture items in public meeting rooms throughout the several departments of City Hall have deteriorated beyond the point of repair, causing discomfort to the residents who participate in their City government and

Whereas, the City Council desires to improve this condition and thereby encourage greater citizen involvement in public meetings.

Now Therefore Be It Resolved, that the City Council of the City of Lansing hereby requests the Mayor to prepare a recommendation on furniture needs for public meeting rooms throughout City Hall.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0271

Resolved by the City Council of the City of Lansing:

Be It Resolved, that the City of Lansing hereby supports and encourages efforts in actively seeking State and/or Federal participation in the rehabilitation of the Shiawassee Street Bridge over the Grand River, and

Be It Further Resolved, that the Lansing City Council concurs that this bridge rehabilitation is urgently needed.

By COUNCILMEMBER BELEN—

That the resolution be amended as follows:

However, any rehabilitation to the bridge should retain the original historical architecture of the bridge.

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

PUBLIC IMPROVEMENT II

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0272

Resolved by the City Council of the City of Lansing:

That the plans and specifications returned by the Department of Public Service in pursuance of the resolution of this Council,

Resolution Date: 5/20/85, P.S. #76109, C&G and nec. storm sewer, property benefited: all lands fronting on Coulson Court from Miller Road north to the south line of Lancen Village No. 3 Subdivision excepting all public streets and alleys and other lands deemed not benefited be received, approved, and placed on file.

The Engineer's estimated expense of said improvements are as follows:

Project # P.S. 85046
Assessment Roll No. C&G
Intersection and City Contribution: \$680.00 (Acct. 401-900-000-974.2.)
Assessable to Property Owners: \$15,300.00
Total Project Cost: \$15,980.00

This project to be included as part of the 1985 new street construction -I, PS 85046.

That the Purchasing Director be directed to advertise and let for bid the specifications for said projects as submitted by the Department of Public Service.

That the City Assessor be, and is directed, to make special assessment installment rolls, based upon bids to be received and other related costs of construction, and return same to the City Council.

I hereby certify that funds are available and encumbered for the City of Lansing's share of said project.

Charles S. Remenon
Deputy City Controller

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolution #0273

Resolved by the City Council of the City of Lansing:

Whereas, the Committee of the Whole has received a recommendation from the Mayor and Finance Department to consider refunding of the 1983 and/or 1984 Sewer Bond Issues and

Whereas, such refunding would result in significant savings in debt service cost while guaranteeing full protection to current bond holders and

Whereas, such refunding of a revenue issue is now possible under Act 74 amendments signed into law on May 30, 1985.

Now Therefore Be It Resolved, that a public hearing is set for June 24, 1985 to refund all or part of the 1983 and 1984 sewer bond issues.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolution #0274

Resolved by the City Council of the City of Lansing:

Whereas, the Congress is currently considering both the Fiscal 1986 Budget and proposed major modification to the Federal Income Tax Code, and

Whereas, the City of Lansing has enacted policy supporting Federal Revenue Sharing renewal at its current level and continuation of other programs of major significance to local services, and

Whereas, the proposals to eliminate the federal income tax deductibility of property taxes, local and state income taxes would have significant impact on the costs of local services already paid for by local taxes, and

Whereas, such federal taxation of local taxes conflicts with the entire history of the Federal Income Tax Code and philosophy and as such impairs the local ability to continue important services, and

Whereas, more than 60% of families with family

incomes of \$25,000 or more itemize deductions, and

Whereas, such a change in deductability would have a significant impact on our community.

Now Therefore Be It Resolved, that the City Council of the City of Lansing hereby officially opposes changes in the Federal Income Tax Code which would have a negative impact on some regions and income groups, particularly areas such as Michigan which have not yet fully recovered from the recent severe recession.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$7,500.00 from Reserve for Contingency	A/C 101-941-000-963
\$7,500.00 to Law-Professional Services (providing funding for Wage & Hour Act litigation.)	A/C 101-210-000-801
\$17,000.00 from Planning and Mun. Dev. Bldg. Div. Salaries and Longevity	A/C 101-860-380-702
\$17,000 to Planning and Mun. Dev. Dept. Claims (provide reserve for payment of claim pending resolve of Wayne Pontz pole barn issue.)	A/C 101-930-000-963
\$100,000.00 from Unappropriated Fund Balance 1969 Storm Sewer and Drain Bond Fund	A/C 401-000-000-390.3
\$100,000.00 to 1969 Storm Sewer and Bond Fund Jerome Street Sewer Separation (to appropriate funds for sewer separation in FY 84-85 so that bids can be accepted and work started.)	A/C 401-787-010-974.695

I hereby certify that this is a properly drawn and eligible transfer.

The balance in the Reserve for Contingency Fund after this transfer is \$154,836.28.

Jan Lazar
Budget Director

Approved:

James Blair
Patrick Lindemann
Tony Benavides
Ways and Means Committee

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

\$100,000.00 from 1969 Storm Sewer and Bond Fund Jerome Street Sewer Separation	A/C 401-787-010-974.695
\$100,000.00 to Unappropriated Fund Balance 1969 Storm Sewer and Drain Bond Fund (return funds appropriated in FY 85-86 to fund balance. Funds needed in FY 84-85 to accept bids for sewer separation work.)	A/C 401-000-000-390.3

I hereby certify that this is a properly drawn and eligible transfer.

Jan Lazar
Budget Director

Approved:

James Blair
Patrick Lindemann
Tony Benavides
Ways and Means Committee

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by revising the Traffic Code Sections 31-37.1 and 31-37.2 concerning barricades was introduced by Councilmember Lindemann, read a first and second time by its title, and referred to the Committee on Public Properties and Safety.

By COUNCILMEMBER LINDEMANN—

Resolution #0275

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, June 24, 1985, at 7:00 p.m. in the City Council Chambers, 10th Floor, City Hall, for the ordinance to amend Chapter 31 of the Traffic Code, Sections 31-37.1 and 31-37.2 concerning barricades.

Adopted by the following vote:

Unanimously.

Passage of Ordinance for the rezoning of property--Z-3-85, 406 E. Holmes Rd. was pulled from the Agenda for one week and request that communication of the Department of Natural Resources which Mr. Foulds has should be brought to the Committee of the Whole meeting on Thursday.

Passage of Ordinance revising Section 26 for the updating of the General Employees Retirement Ordinance was pulled for one week.

By COUNCILMEMBERS SCHMIDT AND BLAIR—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the Agenda.

Carried.

DATE: 6/17/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Public Service Dept.

RE: Clark Construction Company Request for Extended Work Hours.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER SCHMIDT—

That we concur in the recommendation of the Mayor and the request for the Clark Construction Company to work extended hours on the Wastewater Treatment Plant be approved.

Carried.

DATE: 6/17/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Ad Hoc Committee for Deferred Compensation.

RE: Recommendations for a Deferred Compensation

Plan.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on General Services.

REMARKS BY THE MAYOR

Museum Drive cul de sac.

Local street resurfacing.

Sewer improvements and installation report.

Wastewater pump stations update.

REMARKS BY THE CITY COUNCIL

By COUNCILMEMBER BLAIR—

I move that the Mayor be requested to prepare a report in answer to the Committee Report of May 20 regarding enforcement of the Trash Ordinance for removal of refuse from commercial and some residential properties and present it to Committee of the Whole meeting on Thursday.

Adopted by the following vote:

YEAS: Adado, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—7,

NAYS: Belen—1.

Councilmember Belen explained her vote and thought the motion by Councilmember Blair was unnecessary.

Councilmember Lindemann reminded the administration that input from Departments was needed to move some of the items being held in their Committee on Public Properties and Safety.

Councilmembers Adado and Benavides remarked on the Downtown Arts Fair this past weekend.

Councilmember Schmidt informed this is the last week for bagged leaf pick-up.

Mary Haney spoke regarding sympathy to Councilmember Lindemann for his father's illness; Lansing Police Department Labor Negotiations; and Edgewood Blvd. Project.

David Pizana, President of the Mexican Patriotic Committee, spoke and read a statement regarding the Ethnic Festival.

Gary Andrews thanked City Council for holding the rezoning of 406 E. Holmes Rd. for one week.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:25 P.M.

RITA BAUMAN,
City Clerk

June 17, 1985

Lansing, Michigan

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, June 24, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

June 24, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Lindemann.

Pledge of allegiance.

PUBLIC HEARING

June 24, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Ordinance to amend Chapter 31 of the Code of Ordinances by revising the Traffic Code Section 31-37.1 and 31-37.2 concerning barricades.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Ordinance amendment they had the chance of speaking at this time.

Mary Clark, 219 N. Eighth St., spoke regarding prostitution in the neighborhood.

David Shappell, 129 E. Elm, spoke regarding problem of prostitution in E. South neighborhood.

Cheryl George and Tina Perez spoke for E. South Neighborhood Association in favor of barricades.

Referred to the Committee on Public Properties and Safety.

June 24, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed refunding of sewer bond issues.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed refund they had the chance of speaking at this time.

No persons spoke.

Referred to the Committee of the Whole.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK FOR ONLY 3-MINUTES ON ANY ONE ITEM.

Committee Report 1B was pulled.

Speakers in favor of opening up the Mall to through traffic:

Paul LaMacchia, owner of Mac's Cigar and Liquor Store.

Hanh Phung, 318 S. Washington Square.

Gene Corolla, owner of Pandora's Box.

Del Maynard, 4230 Clark St.

Tom Cathey, Sleep Shop.

Ed Lewis.

Mary Haney.

Edie Seeley, new shop "Smiles."

Michael Wolfston, St. Vincents Home for Children.

Richard Baibak, in favor of opening up the Mall and spoke regarding parking situation and two-way traffic.

Gladys Gleason, 215 W. Barnes.

George Eyde, owner of Knapp's Center.

Dr. Dat Luu, Aux Delices Restaurant.

Bernie Danowitz, R & H Shoe Store.

Dwight Demitz, 121 W. Washtenaw Ave.

Ray Michaels spoke in opposition to opening up the Mall.

Irene Gross, 930 Porter St., spoke regarding communication #10, installation of electrical outlets in Buchard Park.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been submitted for licenses:

Peddler: Gale A. Wilson.

Mechanical Amusement Device: New Art Theatre and Cinema X.

Referred to the Committee on General Services.

Claims filed by:

a. Hazel Huddleston, 200 Friendship Circle, submitting bill from Lansing Mercy Ambulance Service.

b. D. Craig Sleep, 4818 Allison Drive, for reimbursement of deductible insurance amount due to tree falling on his automobile windshield.

c. Alvovelino Rodriguez, 1135½ S. Grand Ave., for damages to his front door by the Police Dept.

d. Greg O. Jones, 410 N. Magnolia St., for car rental fee due to his automobile being damaged by a Public Service Dept. vehicle.

e. William and Stacy Powell, 4917 Sidney St., for damages to automobile by falling tree limbs.

Referred to the Mayor and City Attorney.

Application for Commercial Redevelopment District for Action Auto, Inc. at 6272 S. Logan Street.

Referred to the Mayor and Committee on Economic Development.

Application for Tax Abatement for Plant Rehabilitation and Industrial Development filed by R.G. and Irma J. Curtiss for 630 Park Place.

Referred to the Mayor and Committee on Economic Development.

Community Service and Referral Center submits letter of thanks for past contributions from City to the Energy Closet and the Energy Bank.

Received and placed on file.

Petition filed for Special Land Use - SLU-14-85, 5725 Orchard Court for 8 bed Adult Foster Care Facility by Clinton-Eaton-Ingham Community Mental Health Board.

Referred to the Mayor and Planning Board.

Petitions submitted from merchants requesting opening of the S. Washington Mall and conversion of Kalamazoo, Washtenaw, and Allegan St. to two-way traffic.

Referred to the Committee on Public Properties and Safety.

Petitions filed by residents for construction of storm sewer and curb and gutter on Durwell from Haag Rd. to Hughes Rd.

Referred to the Mayor and Public Service Board.

Letter from Roberta E. Love, East Lansing, offering property located at 1621 Martin St. for sale to the City of Lansing.

Referred to the Mayor.

North Lansing Community Association submits request for installation of electrical outlets in Buchard Park.

Referred to the Mayor.

Michigan Department of Natural Resources submits permit for construction in the Red Cedar River by GTE Sprint Communications.

Referred to the Mayor.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA:

Mayor McKane introduced Eugene Barnes of the Waterfront Development Board, who spoke regarding the clean-up of the Grand River.

Mayor's letters 3a (Grand River Clean-up Project); 3d (Downtown Traffic Circulation Study); 3e (Resignation of Maggie Blair-Ramsey from Human Resources Advisory Board); 3f (Board appointments to Public Service and Historic District Commission); 3g (Board Reappointments (8)); 3q (Eastside Transportation Study); 3r (Affirmative Action Plan); and 3t (Endorsement of participation in Regional Development Program.)

REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following Licenses and Bonds:

Peddler: Gale A. Wilson.

Mechanical Amusement Device: New Art Theatre and Cinema X.

Signed,

Sidney Worthington
Alfreda Schmidt
Charles Creamer
Committee on General Services

By COUNCILMEMBER WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY,

To whom was referred the matter of the current operation of the City's Helicopter Program.

Reports as follows: After discussion with representatives of the Lansing Police Department regarding events and circumstances surrounding the recent helicopter mishap, the Committee voted to request from the Administration a complete listing of all administrative policy changes relevant to the helicopter operation. (Safety, maintenance rules governing use, etc.) The Committee would like this information presented at its regular meeting on Thursday, July 11 at Noon.

Signed,

Patrick Lindemann
James Blair
Louis Adado
Committee on Public Properties and Safety

By COUNCILMEMBER LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY,

To whom was referred the Tow Away Ordinance.

Reports as follows: The Committee on Public Properties and Safety hereby approves the passage of an Ordinance to amend Chapter 31, section 31-175 of the Code of Ordinances regarding the towing of vehicles. The Committee additionally requests the Administration to generate and provide to the City Council within 90 days, guidelines and procedures which are consistent with and necessary for the effective implementation of this new Tow Away Ordinance.

Signed,

Patrick Lindemann
James Blair
Louis Adado
Committee on Public Properties and Safety

By COUNCILMEMBER LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

June 20, 1985

Mayor Terry J. McKane
Council President Charles Creamer
and City Council Members

RE: Interlocal Agreement for the Hannah Technology and Research Center.

Dear Mayor and City Council Members:

As you will remember, the City and Meridian Township entered into an interlocal agreement concerning the terms and conditions of the loaning of the UDAG funds to the HTRC Joint Venture. That agreement is a HUD requirement for obtaining the UDAG.

During the HUD review of the legally binding commitments for this project, an error in the legal

description for the project was discovered. HUD requested that the description in the interlocal agreement be amended to rectify this error.

Attached is a resolution which, if passed by the Council, will authorize this revision. A similar resolution has already been approved by the Meridian Township Board of Trustees, and is attached. I recommend that you approve this resolution.

Very truly yours,

Emerson B. Ohl

By THE COMMITTEE ON ECONOMIC DEVELOPMENT—

Resolution #0276

Resolution Amending Interlocal Agreement

Whereas, the City of Lansing, the Economic Development Corporation of the City of Lansing, and the Charter Township of Meridian ("Township") previously entered into an Interlocal Agreement dated as of March 9, 1983 (the "Agreement"), which Agreement contains provisions pertaining to the hiring of City of Lansing residents for the Hannah Technology and Research Center Project (the "Project"), division of tax increments resulting from the project, and participation by the Township in utilization of recaptured urban development action grant funds, and

Whereas, the City Council of the City of Lansing has been advised that the project area description attached to the Agreement as Exhibit A contains a typographical error and needs to be conformed to the correct legal description.

Now, Therefore, It Is Hereby Resolved by the City Council of the City of Lansing, that:

Exhibit A to the Agreement shall be amended and replaced with the legal description attached here as Exhibit A.

Amended Exhibit A

A part of the Southwest $\frac{1}{4}$ of Section 20, T4N, R1W, Meridian Township, Ingham County, Michigan, described as beginning at a point which S $89^{\circ} 59' 30''$ E 60.00 feet and S $00^{\circ} 00' 30''$ W 86.25 feet from the West $\frac{1}{4}$ corner of said Section 20; thence S $89^{\circ} 59' 30''$ E 767.00 feet; thence S $00^{\circ} 00' 30''$ W 658.44 feet; thence Southeasterly 72.78 feet along the arc of a 183.00 foot radius curve to the left whose chord bears S $11^{\circ} 25' 01''$ E 72.51 feet; thence Southwesterly 86.54 feet along the arc of a 229.91 foot radius curve to the right whose chord bears S $79^{\circ} 30' 02''$ W 86.03 feet; thence N $89^{\circ} 43' 00''$ W 696.79 feet; thence N $00^{\circ} 00' 30''$ E 741.85 feet along a line which is 60 feet from and parallel with the West section line to the point of beginning containing 13.098 acres of land more or less and subject to any easements or rights of way of record.

Adopted by the following vote:

Unanimously.

June 20, 1985

Mayor Terry J. McKane
Council President Charles Creamer
and City Council Members

RE: Revocation of EDC Project Letters of Inducement.

Dear Mayor and Council Members:

Enclosed are copies of resolutions passed by the EDC Board revoking letters of inducement for the following projects:

Adams T.V. Project - Adams Television, Inc.
Baryames Project - Art C. Baryames

Diamond Reo Project - Demmer Corporation
Frandonor Project - Frandonor Properties

The EDC is reviewing all outstanding projects, for which there has been no current activity, to see if the projects are temporarily stalled, or if the project is permanently halted. In all of these cases, the developer has indicated that the project is permanently halted, and agrees that the resolution of inducement issued by the EDC can be revoked.

I recommend that the City Council receive and file the attached resolutions.

Very truly yours,

Emerson B. Ohl

Received and placed on file.

June 18, 1985

Mayor Terry J. McKane
Council President Charles Creamer
and City Council Members

RE: Regional Economic Development Program.

Dear Mayor and Council Members:

You have received a copy of the memo from Alan Tubbs, concerning the development of the regional economic development process. I have been involved with the design of this process, and this program has the full support of myself and the EDC Board of Directors.

Obviously, the first goal of Mr. Tubbs and myself is economic development within the City. Many times, however, a particular business desires to come to the Lansing area, but cannot be accommodated with the corporate limits of Lansing. Similarly, my counterparts in the townships and with Ingham County have the same experience. Our goal, in this situation, is to attract the business to the area, even if it isn't within the City. This regional process will give all economic development efforts within the area a coordination mechanism, while maintaining individual promotion and recruitment efforts.

Feel free to contact me if I can be of any service on this matter.

Sincerely,

Emerson B. Ohl
Executive Director
Lansing EDC

Received and placed on file - (Resolution 4a on Agenda.)

Police Department submits Annual Report for 1984.

Referred to the Committee on Public Properties and Safety.

DATE: 6/21/85

TO: President Creamer and
Members, Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application - Stroh's Run For Liberty II.

Attached is an application for a parade permit from the above-referenced organization, scheduled for 9:00 a.m. on Saturday October 12, 1985, which has been approved by all the necessary departments.

Our personnel estimate this will cost the City a total of \$416.46, which represents one Sergeant, four Police Officers, and five vehicles for three hours.

This is being sent to you for final action.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Police Chief and this parade application be approved.

Carried.

June 19, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer
and Councilmembers:

As you may know, it has been some fourteen years since an effort has been made to clean debris from the Grand River in Lansing. As a result, there is much debris in the river which mars its beauty and which is dangerous to boaters.

Recently, members of the Waterfront Development Board suggested to me that a clean-up effort ought to be undertaken. Accordingly, members of the Board were invited to meet with City and Board of Water and Light staff to discuss a possible clean-up.

After much discussion, it has been agreed that:

- River clean-up ought to be an ongoing multi year project.

- As an initial effort, we will pick up smaller debris. Only after we have some clean-up experience will we go after large logs, large concrete chunks, etc.

- We initially will undertake to clean a specific section of the river. We will do additional sections in upcoming years.

We will begin our effort this July. We will be initially funded from our "miscellaneous trash pick-up" account.

Our tentative schedule:

- July 8: The Board of Water and Light will lower the river an estimated two feet;

- July 12: Friends of the River (assisted by City staff) will make a survey of debris in the section of the river between I-496 and the North Lansing dam; and

- July 20-21: Friends of the River and other volunteers will undertake a pick-up of smaller debris. City staff will truck and dispose of it.

This effort will be coordinated by Bob Clegg of our Public Service Department and Eugene Barnes of the Waterfront Development Board. They will be assisted by Board of Water and Light, Law, Planning, and Parks and Recreation staff.

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 6/19/85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Community Service and Referral Center.

RE: Energy Assistance Programs.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

DATE: 6/19/85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Purchasing Department.

RE: Emergency Repairs to Scott Pumping Station.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

June 20, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer
and City Councilmembers:

Attached is a staff report, "Downtown Traffic Circulation Study." I send this to you at this early stage in the process in the spirit of cooperation so that you may have extra time to review and discuss it with interested persons.

I also am sending this study to the Traffic Board, Planning Board, and Mall Advisory Board. As per City practice, once these boards have reviewed it and provided input to me, I will make a recommendation to you. I intend to complete this process during July.

I also will ask that the study's summary be informally reviewed by other interested persons and groups - including the Chamber of Commerce and persons who have participated in my ad hoc discussions regarding the downtown. (In this regard, I would again respectfully suggest that your Public Properties and Safety Committee might consider acting on my proposal for a revitalized Downtown Development Authority. That proposal has rested in committee without action since - as I recall - October, 1984.)

I look forward to an open, positive discussion of this issue - it is an important one for the future of our downtown business - government - professional - cultural - education area.

Note: I have been told by several people that persons who support opening the Mall are telling potential petition signers that opening is necessary so that the City can operate emergency vehicles there. Please be aware that emergency vehicles currently can operate safely in that area.

As always, I appreciate your interest and support for an improved community.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER SCHMIDT—

That this also be referred to the Committee on Ways and Means.

Adopted by the following vote:

YEAS: Adado, Belen, Benavides, Blair, Lindemann, Schmidt, Worthington—7.

NAYS: Creamer—1.

Referred to the Committee on Public Properties and Safety and Committee on Ways and Means.

DATE: 6/20/85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Maggie Blair-Ramsey.

RE: Resignation from Human Resources Advisory
Board.

The attached correspondence is submitted with my
concurrence for your action.

Terry J. McKane
Mayor

Received and placed on file.

June 20, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer
and City Councilmembers:

I herewith submit to for your consideration and
confirmation the appointment of Dr. David B. Smith
to Board Member At Large of the Public Service
Board. This term will expire June, 1989.

Dr. Smith is currently Associate Superintendent for
Finance and Business Services for the Lansing School
District and has previously served as Director of
Personnel and Consultant in Employee Relations. He
has been a member of the Community Relations
Committee for Ingham Medical Hospital and has
served on other boards within the Lansing community.
He has been a Lansing resident for approximately
seventeen years.

I trust you will give careful consideration to the
appointment of Dr. Smith to this important Board.

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

June 20, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer
and City Councilmembers:

I herewith submit to for your consideration and
confirmation the appointment of Robert B. Carowitz
to the Historic District Commission Mr. Carowitz will
complete the term vacated by David Sharpe who
resigned from the Commission. This term will expire
June, 1986.

Mr. Carowitz has been a practicing attorney since
1976 and lives and works in the downtown area. He is
past president of the Ingham County Historic Com-
mission and is very concerned about the preservation of
history.

I trust you will give careful consideration to the
appointment of Mr. Carowitz to this Board.

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

June 20, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer
and City Councilmembers:

I herewith submit to for your consideration and
confirmation the reappointment of Jack R. Sebolt to
the Board of Water and Light. This term will expire
June, 1989.

I trust you will give careful consideration to the
appointment of Mr. Sebolt to this important Board.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor
and reappoint Jack R. Sebolt to the Board of Water
and Light.

Carried.

June 20, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer
and City Councilmembers:

I herewith submit to for your consideration and
confirmation the reappointment of Bernard N. Christy
and Mary S. Clark to the Board of Zoning Appeals.
These terms will expire June, 1989.

I trust you will give careful consideration to these
Board reappointments.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor
and Bernard N. Christy and Mary S. Clark be
reappointed to the Board of Zoning Appeals.

Carried.

June 20, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer
and City Councilmembers:

I herewith submit to for your consideration and
confirmation the reappointment of Eleanor D. Whiting
to the Traffic Board. This term will expire June, 1989.

I trust you will give careful consideration to the
appointment of Ms. Whiting to this important Board.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor
and Eleanor D. Whiting be reappointed to the Traffic
Board.

Carried.

June 20, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer
and City Councilmembers:

I herewith submit to for your consideration and confirmation the reappointment of Douglas A. MacArthur to the Traffic Board. This term will expire June, 1989.

I trust you will give careful consideration to the reappointment of Mr. MacArthur to this important Board.

Thank you for your cooperation.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor and Douglas A. MacArthur be reappointed to the Traffic Board.

Carried.

June 20, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer
and City Councilmembers:

I herewith submit to for your consideration and confirmation the reappointment of Versel Case, Jr. to the Senior Citizens Advisory Board. This term will expire June, 1989.

I trust you will give careful consideration to the reappointment of Mr. Case to this important Board.

Thank you for your cooperation.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor and Versel Case, Jr. be reappointed to the Senior Citizens Advisory Board.

Carried.

June 20, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer
and City Councilmembers:

I herewith submit to for your consideration and confirmation the reappointment of Ralph Griese to the Board of Mechanical Construction Examiners. This term will expire June, 1989.

I trust you will give careful consideration to the reappointment of Mr. MacArthur to this important Board.

Thank you for your cooperation.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor and Ralph Griese be reappointed to the Board of Mechanical Construction Examiners.

Carried.

Council President Charles Creamer
and City Councilmembers

Dear President Creamer
and City Councilmembers:

I herewith submit to for your consideration and confirmation the reappointment of Irving Shaw and Fred Capalongo to the Housing and Redevelopment Board. These terms will expire June, 1989.

I trust you will give careful consideration to these Board reappointments.

Thank you for your cooperation.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor and Irving Shaw and Fred Capalongo be reappointed to the Housing and Redevelopment Board.

Carried.

June 20, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer
and City Councilmembers:

I herewith submit to for your consideration and confirmation the reappointment of Lorne V. Nichols and Robert C. Burns to the Plumbing Board. These terms will expire June, 1989.

I trust you will give careful consideration to the reappointment of Mr. Nichols and Mr. Burns to this Board.

Thank you for your cooperation.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor and Lorne V. Nichols and Robert C. Burns be reappointed to the Plumbing Board.

Carried.

June 20, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer
and City Councilmembers:

I herewith submit to for your consideration and confirmation the appointment of Eugene Barnes and Charles Janssen to the Waterfront Development Board. These terms will expire June, 1989.

I trust you will give careful consideration to the reappointment of Mr. Barnes and Mr. Janssen to this Board.

Thank you for your cooperation.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor and Eugene Barnes and Charles Janssen be reappointed to the Waterfront Development Board.

Carried.

DATE: 6/20/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Department.

RE: P-6-83, Manhattan Subdivision final Plat.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

DATE: 6/20/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Department.

RE: SLU-2-85, 1902 East Cavanaugh Rd., Southwest of Aurelius/Cavanaugh Intersection.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

DATE: 6/20/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Department.

RE: SLU-7-85, 3308 Maloney. Adult Foster Care Facility.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

DATE: 6/20/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Department.

RE: Z-9-85, 1902 East Cavanaugh Rd., Southwest of the Cavanaugh/Aurelius Intersection.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

NOTE: Councilmember Schmidt wanted it noted that the Forest View Association appreciated the cooperation they received from the Planning Department in regard to the above rezoning and the Special Land Use.

Referred to the Committee on Physical Development.

DATE: 6/20/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Department.

RE: Z-13-85, 116 West Kilborn

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

DATE: 6/20/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Department.

RE: Z-14-85, 2213, 2223 West Jolly Rd.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

DATE: 6/20/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Department.

RE: Z-15-85, 1321 West Holmes Rd.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

DATE: 6/20/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Department.

RE: Z-16-85, 2726 North Grand River Ave.

The attached correspondence is submitted with my

concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

DATE: 6/20/85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning and Municipal Development
Department.

RE: ACT-2-85, 1001 Fairway Lane

The attached correspondence is submitted with my
concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

DATE: 6/20/85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning and Municipal Development
Department.

RE: ACT-3-85, Shiawasse St.

The attached correspondence is submitted with my
concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

DATE: 6/20/85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning and Municipal Development
Department.

RE: ACT-6-85, Partial Weigman Drain Vacation.

The attached correspondence is submitted with my
concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

DATE: 6/20/85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning and Municipal Development
Department.

RE: ACT-13-85, Fenton Street, Vacate Right-Of-Way.

The attached correspondence is submitted with my
concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and
Safety.

DATE: 6/20/85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning and Municipal Development
Department.

RE: ACT-17-85, 1000 Filley St.

The attached correspondence is submitted with my
concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and
Safety.

DATE: 6/20/85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning and Municipal Development
Department.

RE: Eastside Transportation Study.

The attached correspondence is submitted with my
concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and
Safety.

DATE: 6/20/85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Human Relations Director.

RE: Affirmative Action Plan.

The attached correspondence is submitted with my
concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee of the Whole.

DATE: 6/20/85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Budget Director.

RE: Transfers.

The attached correspondence is submitted with my
concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Ways and Means.

June 20, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer
and City Councilmembers:

Since the beginning of my administration, I have promoted regional cooperation on economic development matters. That is why I very actively supported providing UDAG funds to Meridian and Delta Townships to encourage industrial expansion. I believe that what benefits those communities also benefits the City of Lansing.

For the past seven months, with my full support and direction, Alan E. Tubbs of my administration and Emerson Ohl, the EDC Director, have been meeting with other planning and economic development officials from the Tri-County area to formulate a program where we could cooperate together to retain our present employment base and promote new job opportunities for the Tri-County area.

The program would be supported by a regional economic development team composed of technicians whose responsibilities are to put together proposals in response to development inquiries for our area. In addition, an advisory group composed of elected officials from each governmental unit as well as representatives of educational institutions, business and labor would provide advice to the program, and an annual review of the work program activities of the team.

The Chamber of Commerce will be the coordinating agency of the program. They will disseminate information to each participating governmental unit, assemble a regional response to development inquiries and receive and distribute funds necessary to accomplish the overall work program.

Attached to this letter is a copy of the work program and budget necessary to accomplish the program. This budget is for hard costs such as promotions, brochures, and other associated costs. The staff costs will be provided in-kind by each of the contributing agencies to the program.

In anticipation of this program, I included funds in my budget, which was approved by you, to finance Lansing's participation. This participation is a 10% per capita assessment on an annual basis, or \$13,500. All governmental units in the Tri-County area that participate will pay a 10% per capita assessment to defray program costs. Counties will be able to deduct participating city's population in their assessment.

Specifically, I am requesting that the City Council endorse the participation of the City in this program by authorizing the City Clerk and me to enter into a cooperative agreement with other governmental units to achieve the program objectives. I have attached a resolution which would give me that authorization.

Thank you for your support.

Sincerely,
Terry J. McKane
Mayor

Referred to the Committee on Economics Development and the Intergovernmental Relations and Human Services Committee.

DATE: 6/20/85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Transportation Division.

RE: Gary Ave. and Harris St.: Stop Sign Request.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 6/20/85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Transportation Division.

RE: Hickory Street and Holmes Street: Stop Sign Request.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 6/20/85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Transportation Division.

RE: Willard Avenue: Two Hour Parking Request.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 6/20/85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Transportation Division.

RE: Beal Avenue Yield Sign Request.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 6/20/85

TO: Council President Charles Creamer
and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Transportation Division.

RE: Michigan Avenue 2300 Block: Parking Request.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 6/20/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division.

RE: Beal Avenue: No Parking Request.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 6/20/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division.

RE: Museum Drive.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 6/20/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division.

RE: Michigan Avenue: Handicap Parking Request at the Corr Building.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 6/20/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Department.

RE: Request for Public Hearing, 414 Curry Lane.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER LINDEMANN—

That we concur in the recommendation of the Mayor

and the public hearing for make safe or demolish 414 Curry Lane be set for July 15, 1985.

Carried.

DATE: 6/20/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Department.

RE: Request for Public Hearing, 528 W. Maple St.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER LINDEMANN—

That we concur in the recommendation of the Mayor and the public hearing for make safe or demolish 528 W. Maple St. be set for July 22, 1985.

Carried.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0277

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Building Safety Division of the Department of Planning and Municipal Development, determined that the building located at 630 Park Place, legally described as:

1 & 2 Block, J. H. Moores Sub. on Block 242, 3301-16-430-001-8

was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan, and

Whereas, a hearing was held by the Hearing Officers on March 28, 1985, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan, and

Whereas, the City Council scheduled a hearing on May 20, 1985 to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe.

Now Therefore Be It Resolved, that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building, and

Be It Further Resolved, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within one hundred and twenty (120) days from the date of this resolution, and

Be It Further Resolved, that should the owner fail to substantially comply with the Hearing Officer's order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building, and

Be It Further Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located, and

Be It Finally Resolved, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0278

Resolved by the City Council of the City of Lansing:

Whereas, the "Great American Race" will be coming through Lansing, Michigan on July 1, 1985, and

Whereas, these remarkable men and women and their antique automobiles will be stopping for a combination luncheon/pit stop in the Civic Center parking lot from approximately 1:00 p.m. to 3:00 p.m., and

Whereas, the Mayor has recommended City co-sponsorship of this event including the City's assumption of costs associated with the use of the Civic Center parking lot.

Now, Therefore Be It Resolved, the City Council of the City of Lansing does hereby officially concur with the recommendation of the Mayor and approve the co-sponsorship of this historic event.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0279

Resolved by the City Council of the City of Lansing:

Whereas, the Ingham County Board of Commissioners along with a number of local agencies will be hosting a diagnostic community conference on the problems of adolescent pregnancy in Ingham County on September 12 and 13, and

Whereas, the Mayor has recommended City co-sponsorship including use of the Civic Center facilities as requested.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby officially concurs with the recommendation of the Mayor and approves the co-sponsorship of this important conference scheduled for September 12 and 13, 1985.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0280

Public Improvement IV

Resolved by the City Council of the City of Lansing:

That the special assessment role for the Maintenance of the Washington Mall and Environs described as follows:

Assessment Roll No. WM-85 - Property benefitted - Beginning at the intersection of N. Capitol and W. Shiawassee, E. on Shiawassee (S. Side only) to N. Grand Avenue, S. on Grand Avenue (both sides) to Lenawee Street, W. on Lenawee (N. side only) to S. Capitol Avenue, N. on Capitol Avenue (both sides, exclude Reutter Park) to W. Allegan and on Capitol Avenue (E. Side only) N. to point of beginning; also Washington Square from Shiawassee (both sides) S. to Lenawee Street; also the following East and West Streets from Capitol Avenue to Grand Avenue (both sides): Ionia, Ottawa, Michigan Avenue, Allegan, Washtenaw, and Kalamazoo as returned by the City Assessor (as amended by the City Council upon review as follows) be and the same is hereby ratified and confirmed, and the Mayor be and is hereby directed to affix within ten days, his warrant directing the City Treasurer to collect said tax on or before the 8th day of October, 1985.

Washington Mall Assessable: 33,166

Side Street Assessable: 52,336

Total: 85,502

Councilmember Adado asked for a roll call vote.

Adopted by the following vote:

YEAS: Adado, Belen, Benavides, Blair, Creamer, Schmidt, Worthington—7.

NAYS: Lindemann—1.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0281

Resolved by the City Council of the City of Lansing:

Whereas, the cost for removal of four female boxelder trees has been determined to be \$585.00 by the City's Forestry Division, and

Whereas, cost for removal of trees located on private property is the responsibility of the property owner.

Now, Therefore Be It Resolved, by the City Council of the City of Lansing, the City Assessor be and hereby is, directed to spread on special assessment roll 50T the \$585.00 cost for the removal of four female boxelder trees located at 3329 Turner. (Owner Emma L. Dodd.)

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0282

Resolved by the City Council of the City of Lansing:

ACT-1-85, North Grand Avenue Parking Ramp.

Whereas, the staff of the City of Lansing is completing the design and preparing to start construction on the North Grand Avenue Parking Garage expansion project over North Grand Avenue, and

Whereas, several aspects of the design including narrowing the width of Grand Avenue from 56 to 44 feet, elimination of bus parking between Ottawa and Ionia, location of columns of the new structure within the existing street right-of-way, vacation of approximately nine (9) feet of street right-of-way and utilization of the same for construction of storage and parking for Board of Water and Light property required an Act 285 review of the project, and

Whereas, the Planning Division has completed the Act 285 review, and

Whereas, the Lansing Planning Board held a public hearing on March 5, 1985 to receive input on the Act 285 review, and

Whereas, the Lansing Planning Board, at its meeting of March 19, 1985 reviewed the staff report and comments received from the various agencies during this process and recommended approval of the proposed expansion of the North Grand Parking Garage with due consideration to be given to:

a. Pedestrian safety across North Grand Avenue between Ottawa and Michigan Avenue with reference to CATA bus passengers,

b. Compatibility in architectural design of the new parking garage with the Board of Water and Light steam power plant, and

c. Adherence to responses received from various agencies as part of the Act 285 review process, and

Whereas, the Public Properties and Safety Committee of the City Council of the City of Lansing has reviewed the recommendations of the Planning Board on June 20, 1985 and concurs therewith.

Now, Therefore Be It Resolved, the City Council of the City of Lansing approves the recommendation of the Public Properties and Safety Committee and authorizes the Administration to take appropriate steps to proceed with the implementation of the project.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS AND GENERAL SERVICES COMMITTEE—

Resolution #0283

Resolved by the City Council of the City of Lansing:

Whereas, employees of private industry and employees of religious, educational, and charitable institutions, as well as self-employed persons have certain tax deferral advantages under the Internal Revenue Code, and

Whereas, it is the intention of the City Council of the City of Lansing to make available similar tax advantages to employees and elected officials of the City of Lansing by the adoption of a Deferred Compensation Plan, and

Whereas, the Revenue Act of 1978 specifically authorized Deferred Compensation Plans for political subdivisions by creating Section 457 of the Internal Revenue Code.

Now, Therefore Be It Resolved by the City Council of the City of Lansing:

That the plan entitled "The City of Lansing Deferred Compensation Plan" be adopted and approved for employees and elected officials of the City of Lansing, and

That eligible employees and elected officials may contract with the City of Lansing to defer part of their compensation in accordance with said plan, thereby reducing gross taxable income, and

That the proper City officials be and they are hereby authorized and directed to contract with Aetna Life Insurance and Annuity Company to purchase by said City from said company annuity contracts to implement said plan.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolution #0277

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Tri-County area is in competition with other regions, both within the state and throughout the country for industrial development, and

Whereas, the Lansing Tri-County Area can best encourage new growth and development by presenting a unified response to development inquiries, and

Whereas, planning and economic development officials have developed a program to bring about a cooperative regional approach to economic development, and

Whereas, the Michigan Urban Cooperative Act of 1967 authorizes intergovernmental agreements to jointly address mutual concerns, and

Whereas, the Mayor has reviewed and recommended that the City participate in this program, and

Whereas, funds are already appropriated in the 1985/86 budget to finance the City's participation.

Now, Therefore Be It Resolved, the City Council of the City of Lansing endorses the participation of the City in a Regional Economic Development Program, and

Be It Finally Resolved, that the City Council authorizes the Mayor and City Clerk to execute a cooperative intergovernmental agreement on behalf of the City to establish and maintain a regional economic development program.

Much discussion held.

By COUNCILMEMBER BLAIR—

That this be sent to the Committee on Economic Development and the Committee on Intergovernmental Relations and Human Services.

Carried.

Resolution #0285

Resolution Adopting Amended and Restated Articles of Incorporation of City of Lansing Building Authority.

At a regular meeting of the City Council, City of Lansing, Ingham, Eaton, and Clinton Counties, Michigan, held on the 24th day of June, 1985, at 7:00 o'clock p.m. in the City Hall, Lansing, Michigan.

The following resolution was offered by Councilmember Benavides and seconded by Councilmember Belen:

Whereas, the City Council of the City of Lansing adopted Articles of Incorporation of the City of Lansing Building Authority on February 9, 1970, and

Whereas, procedures to incorporate the City of Lansing Building Authority pursuant to the resolution of the City Council of the City of Lansing on February 9, 1970 have been undertaken and completed, and

Whereas, the City Council of the City of Lansing deems it necessary and advisable to amend and restate the Articles of Incorporation of the City of Lansing Building Authority, and

Whereas, Amended and Restated Articles of Incorporation of the City of Lansing Building Authority have been prepared and submitted for consideration by this City Council.

Now, Therefore Be It Resolved that:

1. The Amended and Restated Articles of Incorporation of the City of Lansing Building Authority, a copy of which are attached to this Resolution, are hereby approved and the amendments to the Articles of Incorporation as set forth in the attached Amended

and Restated Articles of Incorporation are hereby adopted. The Mayor and the City Clerk are hereby authorized and directed to execute the approved Amended and Restated Articles of Incorporation for and on behalf of the City of Lansing and to file the Amended and Restated Articles of Incorporation and cause the same to be published in accordance with the provisions of Act 31, Public Acts of Michigan, 1948, as amended.

2. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution, shall be, and the same are, hereby rescinded.

The foregoing Resolution was adopted by the City Council of the City of Lansing, Counties of Ingham, Eaton, and Clinton, Michigan at a regular meeting duly held on the 24th day of June, 1985.

Rita M. Bauman
City Clerk
City of Lansing

By COUNCILMEMBER BLAIR—

That this resolution be amended on Page 6, Section 2 (a), line 3 to insert the words "City Auditor" after City Attorney, within the Amended and Restated Articles of Incorporation of the City of Lansing Building Authority.

Adopted by the following vote:

YEAS: Adado, Blair, Creamer, Schmidt, Worthington—5.

NAYS: Belen, Benavides, Lindemann—3.

The resolution as amended was adopted by the following vote:

Unanimously.

Councilmember Belen left the meeting.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$1,540.00 from Personnel-Professional Services	A/C 101-226-000-801
\$10,460.00 from Reserve for Contingency	A/C 101-941-000-963
\$12,000.00 to Personnel-Medical Services (increased number of physical and medical tests in regard to hiring of contract personnel.)	A/C 101-226-000-823
\$2,500.00 from Investigations-Salaries	A/C 101-310-000-702
\$2,500.00 to Police Dept.-Admin-Overtime Civilian (Civilian overtime expenditures have been higher than anticipated due to extended absences of clerical staff within the dept.)	A/C 101-305-000-709
\$702.00 from General Fund Est. Revenue	A/C 101-000-000-160
\$702.00 to Police Dept.-Forfeitures Act 251 (Act 251 Forfeiture to Tri-County Metro Squad.)	A/C 101-305-016-969
\$1,500.00 from Fire Dept.-Alarm Overtime	A/C 101-345-000-708
\$7,500.00 from Fire Dept.-Prevention Overtime	A/C 101-341-000-708
\$9,000.00 to Fire-Suppression Overtime (Estimated additional overtime needed prior to year end.)	A/C 101-339-000-708
\$270.00 from Parks-Forestry Div.-Equipment	A/C 101-781-000-977
\$270.00 to Parks-Forestry Div.-Overtime-Sal. (Additional overtime for storm damage on June 9, 1985.)	A/C 101-781-000-708
\$1,305.00 from Park & Rec.-Forestry-Equipment	A/C 101-781-000-977
\$1,305.00 to Park and Rec.-Forestry-Overtime Hr. (Clean-up of wind storm damage on May 31, 1985.)	A/C 101-781-000-709
\$1,172.00 from Estimated Revenues	A/C 101-000-000-160
\$1,172.00 to Red Cedar Bike Link (Transfer of proceeds from lease of sign space for Red Cedar Bike Link improvements.)	A/C 101-936-761-974
\$5,000.00 from Parks and Rec. Oak Park Equipment Maint.	A/C 101-693-000-933
\$5,000.00 to Parks & Rec.-Admin.-Equipment (Purchase 4 wheel drive unit with which to haul horse trailer to Priggooris Park and other security functions.)	A/C 101-692-000-977
\$4,000.00 from Civic Center-Repair & Maint.	A/C 593-539-000-930

\$4,300.00 from Civic Center-Wages Temporary	A/C 593-539-000-707
\$8,300.00 to Civic Center-Equipment (Dishwasher for the main kitchen which is used by Tri-County Senior Citizens for their meal program, to be removable.)	A/C 593-539-000-977

\$4,000.00 from Admin. Services-Data Processing-Salaries and Longevity	A/C 101-221-000-702
\$900.00 from Admin. Serv.-Data Processing-Utilities	A/C 101-221-000-920
\$100.00 from Admin. Serv.-Data Processing-Misc. & Operating Expenses	A/C 101-221-000-741
\$3,000.00 from Admin. Serv.-Property Management-Project Maintenance	A/C 101-265-000-931
\$8,000.00 to Admin. Serv.-Data Processing-Professional Services (Provide funding for perpetual license fee for "EZ-SPEC", a software program designed to assist users in developing reports from data files.)	A/C 101-221-000-801
\$40,000.00 from Gen. Fund-Res. for Contingency	A/C 101-941-000-963
\$40,000.00 to Admin. Services-Property Management-Project Maintenance (Provide Women's Locker Room. Amount to be carried forward. Work to be contracted.)	A/C 101-265-000-931

Balance in the Reserve for Contingency Fund after these transfers is \$104,376.28.

I hereby certify that this is a properly drawn and eligible transfer.

Jan Lazar
Budget Director

Approved:

Patrick Lindemann
Tony Benavides
James Blair
Ways and Means Committee

Adopted by the following vote:

Unanimously.

ORDINANCES

By COUNCILMEMBER LINDEMANN—

The Committee reported that it had considered an Ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Mich. and for the revision of the district maps adopted by Section 36-6 of the Code for the property located at Z-3-85, 406 E. Holmes Road to be rezoned from "A" Residential to "F" Commercial District, and recommended that the Ordinance be passed.

By COUNCILMEMBER LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Mich. and for the revision of the district maps adopted by Section 36-6 of the Code for the property located at Z-3-85, 406 E. Holmes Road to be rezoned from "A" Residential to "F" Commercial District, be placed on order of immediate passage.

By COUNCILMEMBER LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Mich. and for the revision of the district maps adopted by Section 36-6 of the Code for the property located at Z-3-85, 406 E. Holmes Road to be rezoned from "A" Residential to "F" Commercial District, be now passed.

Adopted by the following vote:

YEAS: Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—7.

NAYS: Blair—1.

Ordinance #2160

An Ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Mich. and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing Ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-3-85, 406 East Holmes Road

Parcel Number: 3301-33-206-001

Legal Description: Commencing on the south line of East Holmes Road 13.45 feet east of the northeast corner of Lot 2, Southmoreland; thence east on the south line of East Holmes Road to the west line of South Cedar Street to the north line, Jessop's Home Gardens Sub. extended east, west to the southeast corner of Southmoreland, northerly along the easterly line of Southmoreland to the southeast corner of Lot 4, Southmoreland, southwesterly on the southerly line of said Lot 4, 40.3 feet, northwesterly to a point on the northerly line of Lot 3 Southmoreland, 40.3 feet from the northeast corner of said Lot 3, northerly to beginning; on Lots 2, 3, and 4, Southmoreland, Section 33, T4N, R2W, City of Lansing, Ingham County, Michigan.

From "A" Residential District to "F" Commercial District.

The petitioner has been advised of the allegations of the burial of toxic material on the site and while no evidence exists at this time of such material, the petitioner may need to investigate this issue further.

Section 2. All Ordinances or parts of Ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This Ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMEMBERS WORTHINGTON AND LINDEMANN—

The Committee reported that it had considered an Ordinance providing, that the Code of Ordinances, City of Lansing, Michigan, be amended by revising Sections 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42, and 26-44 for the purpose of updating the General Employees Retirement System Ordinance.

Amending Chapter 31 by revising Section 31-175 for the purpose of providing for additional situations where vehicles may be towed and setting the fee for impoundment of said vehicles.

By COUNCILMEMBER WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing, that the Code of Ordinances, City of Lansing, Michigan, be amended by Ordinance providing, that the Code of Ordinances, City of Lansing, Michigan, be amended by revising

26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42, and 26-44 for the purpose of updating the General Employees Retirement System Ordinance be palced on order of immediate passage.

By COUNCILMEMBER WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing, that the Code of Ordinances, City of Lansing, Michigan, be amended by revising Sections 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42, and 26-44 for the purpose of updating the General Employees Retirement System Ordinance be now passed.

Much discussion was held.

By COUNCILMEMBER BLAIR—

That we delete section 26-23 (C) from this Ordinance.

Lost by the following vote:

YEAS: Adado, Blair—2.

NAYS: Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—6.

The Resolution was adopted by the following vote:

Unanimously.

Ordinance #702

An Ordinance of the City of Lansing, Michigan, providing that Chapter 26 of the Code of Ordinances be amended by revising Sections 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42, and 26-44 for the purpose of updating the General Employees Retirement System Ordinance.

The City of Lansing Ordains:

That Chapter 26 of the Code of Ordinances, City of Lansing, Michigan, be amended by revising Sections 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42, and 26-44 to read as follows:

Chapter 26

General Employees' Retirement System

Sec. 26-1. Definitions.

the following words and phrases as used in this Chapter, unless a different meaning is plainly required by the context, shall have the following meanings:

(1) Retirement system or system means the retirement system established under this chapter.

(2) Employee means:

(a) Any regular or permanent officer or employee of the City, and for the sole and exclusive purposes of this retirement system any employee of the Lansing Housing Commission. From and after January 1, 1971, any person who is employed on a regular or permanent basis by the District Court, except the judges of such court, shall be considered an "employee" of the City for the sole and exclusive purposes of this retirement system. The term "employee" shall not include any person who is compensated by the City or by the District Court wholly on a fee or contractual basis, nor

the medical director, nor elective officials of the City, except as provided in paragraph (b) of this subsection, nor judges of the District Court.

(b) Any elective official of the City shall be considered an employee, within the meaning of this chapter, upon filing a written application with the board.

(c) In any cases of doubt, the board of trustees shall decide who is an employee within the meaning of this chapter.

(3) Member means any person who is included in the membership of the retirement system.

(4) Compensation means a member's salary, wages, and longevity bonus paid by the City for personal services rendered by the member to the City as an employee of the City. In case a member's compensation is not all paid in money, the council shall fix the value of that part of the member's compensation not paid in money.

(5) Service means personal service rendered to the City by an employee of the City.

(6) Credited service means the number of years, and fraction of a year, of service standing to a member's credit in the member's service account.

(7) Board of trustees or board means the board of trustees of the General Employees' Retirement System as provided for in this chapter.

(8) Regular interest means such rate or rates of interest per annum, compounded annually, as the board of trustees shall from time to time determine, subject to the approval of the council.

(9) Accumulated contributions means the sum of all amounts deducted from the compensation of a member and credited to the member's individual account in the employees savings fund, together with regular interest thereon.

(10) Final average compensation means the average of the highest annual compensation paid a member during a period of two (2) consecutive years of credited service contained within the member's ten (10) years of credited service immediately preceding the date the member's employment last terminated. In the event the member has less than two (2) years of credited service, the member's final average compensation shall be the average of the member's annual compensation for the member's total years of credited service.

(11) Final compensation means a member's annual rate of compensation at the time of termination of the member's last employment with the City.

(12) Annuity means an annual amount, derived from a member's accumulated contributions, payable in equal monthly installments throughout the future life of a person or for a temporary period as provided in this chapter.

(13) Pension means an annual amount, derived from money provided by the City, payable in equal monthly installments throughout the future life of a person or for a temporary period as provided in this chapter.

(14) Retirement allowance means the sum of the annuity and the pension.

(15) Retirant means a member who retires from City employment with a retirement allowance payable by the retirement system.

(16) Beneficiary means any person, except a retirant, who is in receipt of, or who has entitlement to, a pension, retirement allowance, or other benefit, payable by the retirement system.

(17) Annuity reserve means the present value of all

payments to be made on account of any annuity, or benefit in lieu thereof. The annuity reserve shall be computed upon the basis of such mortality table and regular interest as the board shall from time to time adopt.

(18) Pension reserve means the present value of all payments to be made on account of any pension, or benefit in lieu thereof. The pension reserve shall be computed upon the basis of such mortality and other tables of experience, and regular interest, as the board shall from time to time adopt.

(19) Workers compensation period means the period a member, retirant, or beneficiary is in receipt of workers compensation on account of a disability or death arising out of and in the course of a member's City employment. If the member, retirant, or beneficiary is paid a single sum in lieu of future workers compensation, that individual's workers compensation period shall be the period, if any, the individual was in receipt of weekly workers compensation plus the period arrived at by dividing the said single sum by the weekly workers compensation award.

Sec. 26-5 Same - Membership, terms of office.

(a) The board of trustees shall consist of eight (8) trustees as follows:

(1) The Mayor.

(2) A member of the city council to be selected by, and to serve at the pleasure of the city council.

(3) The City Treasurer.

(4) The chief personnel officer.

(5) Three (3) members of the retirement system to be elected by the members of the system under such rules and regulations as may from time to time be adopted by the board; except that no more than one (1) such elected member shall be from any one (1) City department.

(6) The Mayor shall appoint a citizen, who is a resident of the City, who is not an employee of the City, and who is not eligible to receive benefits payable by the retirement system.

(b) The regular term of office for such elected member trustees and appointed citizen trustee shall be a period of four (4) years.

Sec. 26-6 Same - Filling vacancies.

In the event a member trustee or the appointed citizen trustee fails to attend three (3) consecutive meetings of the board, unless in each case excused for cause by the remaining trustees attending such meetings, or in the event a member trustee leaves the employ of the City, he shall be considered to have resigned from the board and the board shall, by resolution, declare his office of trustee vacated as of the date of adoption of such resolution. If a vacancy occurs in the office of trustee, the vacancy shall be filled within sixty (60) days from and after the date of the vacancy, for the unexpired portion of the term, in the same manner as the office was previously filled.

Sec. 26-7 Same - Oath of office.

Each trustee shall, within ten (10) days after appointment or election, take an oath of office to be administered by the city clerk.

Sec. 26-8 Same - organization, rules of procedure, meetings.

The board shall elect from its own number a chairman and a vice-chairman. It shall adopt its own rules of procedure and shall keep a record of its proceedings and shall hold meetings regularly, at least one (1) in each month, and shall designate the time and

place thereof. All meetings shall be public.

Sec. 26-9. Same - Voting, quorum, majority for action.

(a) Each trustee shall be entitled to one (1) vote on each question in the meetings of the board.

(b) Five (5) trustees shall constitute a quorum at any meeting of the board.

(c) A majority of concurring votes shall be necessary for a decision by the trustees at any meeting of the board.

Sec. 26-10. Same - Compensation, secretary, employees, legal advisor.

(a) The trustees shall serve without additional compensation for their services as trustees.

(b) The director of finance shall be ex officio secretary of the board.

(c) The board may employ such professional and other services as shall be required. The compensation for such services shall be fixed by the board.

(d) The city attorney shall be legal advisor to the board.

Sec. 26-14. Actuarial investigation.

At least once in each five (5) year period, the board shall cause an actuarial investigation to be made into the mortality, service, and other experience of members, retirants, and beneficiaries. On the basis of such actuarial investigation, the board shall adopt for the retirement system such mortality, service, and other tables of experience as shall be necessary in the operation of the system on an actuarial basis; and shall adopt for the system a rate or rates of regular interest.

Sec. 26-18. Same - Rules governing.

(a) The board shall fix and determine, by appropriate rules and regulations consistent with the provisions of this chapter, the amount of service to be credited a member in any calendar year; but in no case shall less than ten (10) days of service rendered by the member in any calendar month be credited as a month of service, nor shall less than eight (8) months of service rendered by the member in any calendar year be credited as a year of service, nor shall more than one (1) year of service be credited any member for all service rendered by the member in any calendar year.

(b) Credited service shall be forfeited and no longer in force in the event the individual's accumulated contributions are withdrawn from the employees savings fund and paid to the individual or a beneficiary (including the estate), except as provided in section 26-28.

(c) A member may have forfeited credit service restored to the member's account upon satisfaction of each of the following conditions:

(1) Membership recommences within four (4) years from and after the last date of termination of membership.

(2) The retirement system is paid the total amount of accumulated contributions previously withdrawn plus regular interest from the date(s) of withdrawal to the date(s) of repayment. Repayment shall be made in accordance with subsection (e) of section 26-34.

Sec. 26-19. Same - War Service.

A member who, while employed by the City, entered or enters the military service of the United States government during time of war or any period of compulsory military service, shall have such military service credited in the same manner as if the member had served the City without interruption: Provided,

that (1) the member reenters the employ of the City within one (1) year from the date of termination of the military service actually required, (2) the member returns to the employees savings fund all amounts the member might have withdrawn therefrom at the time the member entered or while in such military service, together with regular interest thereon from the date of withdrawal to the date of repayment, and (3) in no case shall any member be credited with more than five (5) years of City service for all such military service rendered. In any case of doubt as to the amount of such military service to be credited any member, the board shall have final power to determine such amount. During a member's military service in the federal government and until re-employment by the City, the member's contributions into the employee's savings fund shall be suspended and the balance therein shall be accumulated at regular interest.

Sec. 26-21. Retirement age and service requirements.

(A) Except as provided in subsection B of this section and section 26-23(c), any member who either (1) has attained or attains age fifty-eight (58) years and has eight (8) or more years of credited service, or (2) has attained or attains age fifty-five (55) years and has twenty-five (25) or more years of credited service, may retire upon written application to the board setting forth at what time, neither less than thirty (30) days nor more than ninety (90) days, subsequent to the execution and filing thereof, the member desires to be retired. Upon retirement, the member shall receive a retirement allowance provided in Section 26-22.

(B) Effective June 30, 1987, a member who is associated with the F.O.P. Park Security Division and who either (1) has attained or attains age fifty-eight (58) years and has eight (8) or more years of credited service, or (2) has attained or attains age fifty (50) years and has twenty-five (25) or more years of credited service, may retire upon written application to the board setting forth at what time, neither less than thirty (30) days nor more than ninety (90) days, subsequent to the execution and filing thereof, the member desires to be retired. Upon retirement, the member shall receive a retirement allowance provided in Section 26-22.

(C) Any member, except an elected official of the City, who has attained or attains age seventy (70) years shall be separated from City employment the first day of the calendar month next succeeding the month in which the member attains age seventy (70) years. If, at the time of separation from City employment, the member has eight (8) years of credited service, the member shall receive a retirement allowance provided for in Section 26-22.

Sec. 26-22 Age and service retirement allowances.

(a) Upon retirement, a member shall receive a straight life retirement allowance and shall have the right to elect to receive a retirement allowance under an option provided in section 26-27 in lieu of a straight life shall consist of benefits, set forth below:

(1) An annuity which shall be the actuarial equivalent of the member's accumulated contributions standing to the member's credit in the employees savings fund at the time of retirement, and

(2) A pension which, when added to the member's annuity, shall provide a straight life retirement allowance equal to the number of years, and fraction of a year, of credited service multiplied by two per cent (2%) of the member's final average compensation.

(b) According to such rules and regulations as the board may from time to time adopt, any member who retires prior to the attainment of age sixty-five (65) years may elect to have the member's straight life retirement allowance actuarially equated to provide an increased retirement allowance payable to the member's

attainment of age sixty-five (65) years and a reduced retirement allowance payable thereafter. The increased retirement allowance payable to the member's attainment of age sixty-five (65) years shall approximate the sum of the member's reduced retirement allowance payable after the member's attainment of age sixty-five (65) years and estimated social security primary insurance amount.

(c) In the event a retirant dies before having received in straight life retirement allowance payments an aggregate amount equal to the accumulated contributions standing to the member's credit in the employees savings fund at the time of retirement, the difference between the accumulated contributions and the aggregate amount of straight life retirement allowance payments received by the retirant shall be paid from the retirement reserve fund to such person as the member shall have nominated by written designation duly executed and filed with the board. If there be no such designated person surviving the retirant, such difference if any shall be paid to the retirant's legal representative. No benefits shall be paid under this subsection on account of the death of a retirant if the member had elected option (A) or (B) provided in section 26-27.

Sec. 26-23. Same - Deferred retirement.

(a) Should any member who has eight (8) or more years of credited service separate from the employ of the City prior to the attainment of age fifty-eight (58) years, except through retirement or death, the member shall be entitled to a retirement allowance provided in section 26-22, as the section was in force at the time of the member's separation from City employment; provided, that the member does not withdraw any accumulated contributions from the employees saving fund. The member's retirement allowance shall begin the first day of the calendar month next following the month in which the application for same is filed with the board on or after the member's attainment of age fifty-eight (58) years. During the period of the member's absence from City employment regular interest shall be credited to the member's accumulated contributions standing to the member's credit in the employees saving fund.

(B) Should any member who has eight (8) or more years of credited service separate from the employ of the City prior to the attainment of age fifty-eight (58) years, except through retirement or death, and should the member thereafter die prior to attainment of age fifty-eight (58) years, and have a beneficiary designated at the time of death, the member's beneficiary shall be entitled to a retirement allowance provided in Section 26-22(A), as the section was in force at the time of the member's separation from City employment, provided, that the member does not withdraw any accumulated contribution from the employees saving fund. The beneficiary's retirement allowance shall begin the first day of the calendar month following next following the month in which the beneficiary files an application for same with the board on or after the deceased former member would have attained age fifty-eight (58) years. During the deferral period, regular interest shall be credited to the deceased former member's accumulated contributions standing to the member's credit in the employees saving fund.

(C) If any member who has eight (8) or more years of credited service, and who either was a member of the executive pay plan of the City on February 15, 1985, or was a member of council or internal audit staff as of February 15, 1985, separates from the employ of the City prior to obtaining the age requirements set forth in section 26-21(A), that member shall be entitled to receive upon that member's date of separation the regular age and service retirement allowance provided for in section 26-22.

(D) Any member who had five (5) or more years of credited service and was transferred from the employ of the City to the employ of Ingham County Health

Department on July 1, 1947, shall remain a member during the period employed by the Ingham County Health Department. Whenever the sum of City credited service and Ingham County credited service equals at least ten (10) years, the member shall become entitled to a deferred retirement allowance computed according to section 26-22 upon the basis of the member's City credited service. In determining the member's final average compensation, the compensations paid by Ingham County Health Department shall be treated as if they were paid by the City. The retirement allowance shall begin the first day of the calendar month next following the month in which the member's application for same is filed with the board on or after (1) the member's attainment of age sixty (60) years, or (2) the member's retirement from county employment, whichever is later. In the event the member withdraws all or part of the member's accumulated contributions from the employees saving fund, that individual shall thereupon cease to be a member and shall forfeit all rights in and to a deferred retirement allowance provided for in this section.

Sec. 26-24. Total and permanent disability - Conditions.

(a) Upon the application of a member, or the member's department head on his behalf, a member who (1) is in the employ of the City, (2) has ten (10) or more years of credited service, and (3) becomes totally and permanently incapacitated for duty in the employ of the City by reason of a personal injury or disease, may be retired by the board: Provided, that (1) after a medical examination of the member made by or under the direction of the medical director, the medical director certifies to the board that the member is mentally or physically totally incapacitated for duty in the employ of the City and that such incapacity will probably be permanent, and (2) the report of the medical director is concurred in by the board.

(b) The ten (10) year service requirement provided for in paragraph (a) of this section shall be waived for a member in the event (1) the board finds the member is totally and permanently incapacitated for duty in the employ of the City as the natural and proximate result of a personal injury or disease arising out of and in the course of the actual performance of duty in the employ of the City, and (2) the member is in receipt of workers compensation on account of the total and permanent incapacity occurring as the result of the City employment.

Sec. 26-25. Same - Computation of benefits - Non-duty disability.

If a member retires on account of total and permanent disability, as provided in section 26-24, and the board finds that the member's disability did not occur as a result of causes arising out of and in the course of the member's actual performance of duty in the employ of the City, the member shall receive a disability retirement allowance computed according to the provisions of section 26-22 exclusive of subsection (b). In no case shall the member's disability retirement allowance be less than fourteen per cent (14%) of the member's final average compensation. The member's disability retirement allowance shall be subject to sections 26-32, 26-33, and 26-33.1. Upon retirement, the member shall have the right to elect to receive a retirement allowance under an option provided in section 26-27 in lieu of a straight life retirement allowance.

Sec. 26-26. Same - Computation of benefits - Duty disability.

If a member retires before attainment of age sixty (60) years on account of total and permanent disability, as provided in section 26-24, and the board finds that the disability is the natural and proximate result of causes arising out of and in the course of the member's actual performance of duty in the employ of the City, the member shall receive a disability retirement allowance

computed according to section 26-22, exclusive of subsection (b). In computing disability retirement allowance the credited service to be used shall be the sum of (1) the members credited service in force at the date of retirement and (2) the number of years, and fraction of a year, in the period from the date of the member's retirement to the date the member would attain age sixty (60) years. During the workers compensation period the member's disability retirement allowance shall not exceed the difference between the member's final compensation and workers compensation converted to an annual basis. His disability retirement allowance shall be subject to sections 26-32, 26-33, and 26-33.1. Upon retirement, the member shall have the right to elect to receive a retirement allowance under an option provided in section 26-27 in lieu of a straight life retirement allowance. Upon the attainment of age sixty (60) years, the retirant shall be removed from disability retirement and transferred to age and service retirement as provided in section 26-22.

Sec. 26-26.1. Increase in benefits.

The benefits calculated in sections 26-22, 26-25, and 26-26 shall be increased as per this section. Effective February 1, 1984, benefits for retirants and beneficiaries whose effective date of retirement is before November 4, 1979, shall receive an increase. This increase shall be calculated by this formula: one percent (1%) times the retirant's or beneficiary's benefit on February 1, 1984, times the number of full calendar years between the effective date of retirement and January 1, 1984.

Sec. 26-28. Death incurred in line of duty - Benefits.

(A) In the event (1) a member dies as the result of a personal injury or disease arising solely and exclusively out of and in the course of employment by the City, or (2) a disability retirant dies prior to attaining age sixty (60) years and within a period of three (3) years from and after the disability retirement as the result of the same injury or disease for which the member retired, and in either case the death, injury, or disease resulting in death, be found by the board to have occurred as the natural and proximate result of causes arising solely and exclusively out of and in the course of the actual performance of duty in the employ of the City, the applicable benefits provided in subsection (B), (C), (D), and (E) of this section shall be paid subject to the condition that workers compensation is paid on account of the death of the member or retirant.

(B) In the case of a deceased member, the accumulated contributions standing to the member's credit in the employees saving fund at the time of death shall be paid in accordance with section 26-31.

(C) The surviving spouse, if not remarried, shall receive a surviving spouse's pension equal to the surviving spouse's weekly workers compensation converted to an annual basis. Such pension shall begin upon termination of the surviving spouse's workers compensation period and shall terminate upon remarriage or death, whichever occurs first. As used in this section, the term surviving spouse means the person to whom the deceased member or retirant was married at the time of employment with the City last terminated.

(D) The unmarried child or children under age twenty-one (21) years shall each receive a child's pension equal to the child's weekly workers compensation converted to an annual basis. Such child's pension shall begin upon termination of the child's workers compensation period and shall terminate upon the attainment of age twenty-one (21) years, or death, or marriage, whichever comes first. Should the surviving spouse pension be terminated, as provided in subsection (C) of this section, and should an unmarried child or children under age twenty-one (21) years of the deceased member or retirant outlive the surviving spouse, each such child's pension shall be increased by an equal share of the surviving spouse's pension.

(E) The parent or parents shall each receive a parent's

pension equal to the parent's weekly workers compensation converted to an annual basis. Such parent's pension shall begin upon termination of the parent's workers compensation period and shall terminate upon remarriage or death, whichever occurs first.

Sec. 26-29. Non-duty death benefits - Election of option.

Any member who continues in the employ of the City on or after the date the member acquires eight (8) years of credited service may, at any time prior to retirement elect option A provided for in section 26-27, in the same manner as if the member were then retiring from City employment, and nominate a beneficiary whom the board finds to be dependent upon the member for at least fifty per cent (50%) of support due to lack of financial means. Prior to the effective date of retirement, a member may revoke the election of option A and nomination of beneficiary, and may again elect option A and nominate a beneficiary as provided in this section. Upon death or marriage or remarriage of the said beneficiary prior to the effective date of the member's retirement, the election of option A and nomination of beneficiary shall be automatically revoked. Upon the death of a member who has an option A election in force, the member's beneficiary shall immediately receive a retirement allowance computed according to section 26-22, exclusive of subsection (b), in the same manner in all respects as if the member had retired under an option A election the day preceding the date of death, notwithstanding that the member might not have attained age fifty-eight (58) years. If a member has an option A election and nomination of beneficiary in force at the time of retirement, the member's election of option A and nomination of beneficiary shall thereafter continue in force; provided, however, that within sixty (60) days preceding the date of retirement, the member shall have the right to elect to take a retirement allowance as a straight life retirement allowance or under another option provided in section 26-27. No retirement allowance shall be paid under this section on account of the death of a member if any benefits are payable or are to be payable under section 26-28 on account of death.

Sec. 26-30. Same - Option A provision.

Any member who continues in the employ of the City on or after the date the member has acquired eight (8) years of credited service, and does not have an option A election on force, as provided in section 26-29, and dies while in the employ of the City the surviving spouse shall immediately receive a retirement allowance computed according to section 26-22, exclusive of subsection (b) as if the said member had retired effective the day preceding the date of death. No retirement allowance shall be paid under this section on account of the death of a member if any benefits are payable or are to be payable under section 26-28 on account of death.

Sec. 26-32. Re-examination of disability retirants.

At least once each year during the first five (5) years following the retirement of a member with a disability retirement allowance and at least once in every three (3) year period thereafter, the board may, or upon the disability retirant's application shall, require any disability retirant, who has not attained age sixty (60) years, to undergo a medical examination to be made by or under the direction of the medical director. Should any such disability retirant refuse to submit to such medical examination in any such period, the retirant's disability retirement allowance may be discontinued by the board until the retirant withdraws such refusal. Should such refusal continue for one year all the retirant's rights in and to a disability retirement allowance may be revoked by the board. If, upon such medical examination of a retirant, the medical director reports to the board, and such report is concurred in by the board, that the retirant is physically able and

capable of resuming employment with the City, the retirant shall be re-employed by the City and the disability retirement allowance shall terminate. In re-employing the retirant reasonable latitude shall be allowed the City in placing the retirant in a position commensurate to the retirant's type of work and rate of compensation at the time of retirement.

Sec. 26-33. Same - Returning to City employment.

A disability retirant who has been or shall be returned to the employ of the City, as provided in section 26-32, shall from the date of the retirant's return again become a member of the retirement system. The member's credited service in force at the time of disability retirement shall be restored to the member's credit. The member shall be given service credit for the period the member was receiving a disability retirement allowance provided for in this chapter if within such period the member was in receipt of workers compensation on account of total and permanent disability arising out of and in the course of City employment; otherwise, the member shall not be given service credit for the period the member was in receipt of a disability retirement allowance.

Sec. 26-33.1 Adjustment of disability retirement allowance.

(a) If a disability retirant becomes engaged in a gainful occupation, business, or employment, and the sum of pay or other remuneration from such occupation, business, or other employment and the retirant's disability retirement allowance exceeds the retirant's final compensation, the amount of the retirant's disability retirement allowance shall be reduced to an amount which together with the amount so earned by the disability retirant shall equal, but not exceed, the final compensation. For the purpose of this section only a retirant's final compensation shall be increased two percent (2%) for each completed calendar year the retirant is in receipt of a disability retirement allowance. Should the retirant's earnings be later changed, the disability retirement allowance shall be adjusted accordingly.

(b) Each disability retirant shall file with the board at least annually, a statement of the retirant's earnings on forms furnished by the board, together with such supporting data as may be requested by the board to establish a basis for determining earnings for operation of this section. The board may from time to time adopt rules and regulations for defining earnings for purposes of application of this section. Failure by a disability retirant to submit required information upon written request by the board may, in the discretion of the board, subject the disability retirant to suspension of retirement allowance payment.

Sec. 26-34. Employees savings fund.

(a) The employees savings fund is hereby created. It shall be the fund in which shall be accumulated, at regular interest, the contribution deducted from the compensations of members to provide their annuities; and from which shall be made transfers and refunds of accumulated contributions, as provided in this chapter.

(b) Until January 1, 1967, the contributions of a member to the retirement system shall be the sum of three per cent (3%) of the first forty-two hundred dollars (\$4,200.00) of annual compensation plus five per cent (5%) of the portion, if any, of the annual compensation which is in excess of forty-two hundred dollars (\$4,200.00). From and after December 31, 1966, each member shall contribute to the retirement system three per cent (3%) of the annual compensation except as hereinafter provided:

(1) Effective for all pay periods ending on or after July 1, 1982, each of the following shall not contribute:

a. A member who is a part- or full-time elected

official;

b. A member who is part of the executive plan.

(2) Effective for all pay periods ending on or after July 1, 1982, and through all pay periods ending before July 1, 1983, each of the following shall contribute one and five tenths per cent (1.5%) of the member's annual compensation.

a. A member who is unrepresented by a labor union and is not employed on a regular and permanent basis by the District Court and is not employed by the Lansing Housing Commission and is not described in (1) above;

b. Any member who is represented by a union which has entered into a collective bargaining agreement providing for the contribution of no more than one and five tenths per cent (1.5%) of each member's annual compensation to the employees savings fund.

(3) Effective for all pay periods ending on or after July 1, 1983, each of the following shall not contribute:

a. A member who is unrepresented by a labor union and is not employed on a regular or permanent basis by the District Court and is not described in (1) above;

b. Any member who is represented by a union which has entered into a collective bargaining agreement which does not provide for its members to make any contributions to the employees savings fund.

(c) The director of finance or other officer responsible for making the payroll shall cause the contributions provided in subsection (b) of this section to be deducted from the compensation of each member on each and every payroll, for each and every payroll period, so long as the member remains employed by the City.

(d) The contributions provided for herein shall be made notwithstanding that the minimum compensation provided by law for any member shall be changed thereby. Every member shall be deemed to consent and agree to the deductions made and provided herein. Payment of compensation less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by such person during the period covered by such payments, except as to benefits provided under this chapter. When deducted, the contributions of each member shall be paid to the retirement system and shall be credited to the individual account in the employees savings fund.

(e) In addition to the contribution deducted from the compensation of a member as hereinbefore provided, a member shall, in order to qualify for prior service credit, deposit in the employees savings fund, by a single payment or by an increased rate of contribution as determined by the board, the accumulated contributions, if any, the member withdrew therefrom, together with regular interest from the date of withdrawal to the date of repayment. Repayment shall be made in accordance with the rule the board shall from time to time determine. The rules shall not require full repayment prior to the date which is one (1) year following the date of renewed membership nor shall the rules permit full repayment to extend beyond the date which is four (4) years following the date of renewed membership or following the effective date of this amendment, whichever is later. If a member dies prior to completion of repayment and leaves a spouse, the spouse must pay the balance due within sixty (60) days of the member's death. In no case shall any member be given credit for service rendered prior to the date the member withdrew the accumulated contributions until the member repays to the employees savings fund all amounts due such fund.

(f) Upon the retirement of a member, the member's accumulated contributions shall be transferred from

the employees savings fund to the retirement reserve fund. At the expiration of a period of five (5) years from and after the date an employee ceases to be a member any balance standing to the member's credit in the employees savings fund, unclaimed by such member or the member's legal representative, shall remain a part of the monies of the retirement system and shall be transferred to the income fund, if no retirement allowance will become payable under this chapter on account of the member's City employment.

Sec. 26-35. Same - Retirement reserve fund.

The retirement reserve fund is hereby created. It shall be the fund from which shall be paid all annuities and pensions payable as provided in this chapter. Should a disability retiree return to the employ of the City, the disability retiree's annuity reserve computed as of the date of return shall be transferred from the retirement reserve fund to the employees savings fund and shall be credited to the member's individual account therein; and the member's pension reserve at that time shall be transferred to the pension accumulation fund.

Sec. 26-36. Same - Pension accumulation fund.

The pension accumulation fund is hereby created. It shall be the fund in which shall be accumulated reserves for the payment of pensions and other benefits payable from contributions made by the City. Upon the basis of such mortality and other tables of experience, and regular interest, the actuary shall annually compute the annuity and pension reserves (1) for annuities and pensions being paid retirees and beneficiaries and (2) covering service rendered and to be rendered by members. The portion of the annuity and pension reserves not financed by members' contributions shall be financed by annual appropriations, to be made by the council, determined according to subsections (1), (2), and (3) below:

(1) The appropriations for members' current service shall be a percentage of their annual compensations which will produce an amount which, if paid annually by the City during their future service, will be sufficient to provide the reserves, at the time of the members' retirements, for the pension portions of the retirement allowances to be paid them based upon their future service.

(2) The appropriations for members' accrued service shall be a percentage of their annual compensations which will produce an amount to be determined by the board which, if paid annually by the City over a period of years will amortize, at regular interest, the unfunded annuity and pension reserves, if any, for the accrued service portions of the retirement allowances to which the members might be entitled.

(3) The appropriations for pensions and retirement allowances being paid retirees and beneficiaries shall be a percentage of the annual compensations of members which will produce an amount to be determined by the board which, if paid annually by the City over a period of years will amortize, at regular interest, the unfunded annuity and pension reserves, if any, for pensions and retirement allowances being paid retirees and beneficiaries.

(b) Upon the retirement of a member, or at the time a pension becomes payable to a beneficiary on account of the death of a member, the pension reserve for such pension shall be transferred from the pension accumulation fund to the retirement reserve fund. The board may, from time to time, transfer from the pension accumulation fund to the retirement reserve fund such additional amounts as are necessary to satisfy the actuarial requirements of the retirement reserve fund. The board may from time to time transfer from the pension accumulation fund to the income fund such amounts as are required to cover any deficiency in the income fund.

Sec. 26-38. Same - Administration and investment expenses of system.

The administrative expenses of the retirement system shall be paid by the City from its general fund, except insofar as they are related to investment of fund assets, in which case investment expenses shall be paid from investment proceeds. Expenses related to investment of fund assets shall include but not be limited to fees for services of outside investment managers, bank custodians, and investment performance evaluators.

Sec. 26-39. Same - Appropriations.

The board shall certify the amounts of appropriations necessary to pay into the various funds of the retirement system as enumerated in this chapter according to legal budget procedure.

Sec. 26-40. Same - Use of funds.

All funds of the retirement system shall be held for the sole purpose of meeting disbursements for pensions, retirement allowances, and other payments authorized by this chapter and shall be used for no other purpose. The crediting of monies to the various funds of the system shall be interpreted to refer to accounting procedures and not to the actual segregation of monies in various funds of the system.

Sec. 26-41. Management of retirement system assets - Powers of board.

The board shall be the trustees of the assets of the retirement system and shall have full power to invest and reinvest such assets subject to Act #314 of the Public Acts of 1965, as amended, and as the same might from time to time be amended. The board shall have full power to hold, purchase, sell, assign, transfer and dispose of any securities in which any of the monies of the system have been invested, as well as the proceeds of said investments and any monies belonging to the system. The board shall also have the power to purchase notes, bonds, or other obligations of the City before or after the same are offered to the public and with or without advertising for bids.

Sec. 26-42. Same - No trustees shall gain from system's investments.

Except as otherwise provided in this chapter, no trustee or officer or employee of the retirement system shall have any interest direct or indirect in the gains or profit from any investments made by the board. No such person directly or indirectly, for himself or as an agent or partner of others, shall borrow any of the monies or deposits of the system or in any manner use the same except to make such current and necessary payments as are authorized by the board. No such person shall become an endorser or surety or become in any manner an obligor for any monies loaned by or borrowed from the system.

Sec. 26-44. Same - Custodian of funds.

The city treasurer shall be custodian of the funds of the retirement system. All payments from such funds shall be made according to charter provisions only upon regular city vouchers signed by two (2) persons designated by the board. No voucher shall be drawn unless it shall have been previously authorized by a specific or continuing resolution adopted by the board.

Sec. 26-45. Assignments prohibited.

The right of a person to a pension, an annuity, or a retirement allowance, the return of accumulated contributions, the pension, annuity, or retirement allowance itself, any optional benefits, and any right accrued or accruing to any person under the provisions of this chapter, and the monies of the retirement system shall be unassignable and shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or insolvency law, or any other process of

law whatsoever, except as is specifically provided in this chapter.

Section 2. All Ordinances or parts of Ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This Ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMEMBER LINDEMANN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by revising Section 31-175 for the purpose of providing for additional situations where vehicles may be towed and setting the fee for impoundment of such vehicles be placed on order of immediate passage.

By COUNCILMEMBER LINDEMANN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by revising Section 31-175 for the purpose of providing for additional situations where vehicles may be towed and setting the fee for impoundment of such vehicles be now passed.

Adopted by the following vote:

Unanimously.

An Ordinance of the City of Lansing, Michigan, providing that Chapter 31 be amended by revising Section 31-175 for the purpose of providing for additional situations where vehicles may be towed and setting the fee for impoundment of such vehicles.

The City of Lansing Ordains:

Section 1. That Chapter 31 of the Code of Ordinances of Lansing, Michigan be amended by revising section 31-175 to read as follows:

Sec. 31-175. Authority to impound vehicles generally.

(A) Members of the police department, the park police, or employees of the transportation division of the public service department are hereby authorized to remove a vehicle from a street or highway to the nearest garage or other place of safety, or to a garage designated or maintained by the police department, or otherwise maintained by this city under the circumstances hereinafter enumerated:

(1) When any vehicle is left unattended upon any bridge where such vehicle constitutes an obstruction to traffic.

(2) When a vehicle upon an alley, street, or highway is so disabled or defective so as to create an immediate hazard or obstruction to traffic.

(3) When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.

(4) When a vehicle is left unattended in a street, alley, or public parking facility in an area designated by one or more signs as a "tow away zone" or in an area wherein standing or parking is prohibited or restricted as indicated by the appropriate signs.

(5) When signs have been duly erected or parking meters have been capped indicating that parking is prohibited.

(6) When the driver of such vehicle is taken into custody by the police department and such vehicle would thereby be left unattended upon a street, alley, or highway.

(7) Where removal is necessary in the interest of public safety or welfare because of fire, flood, storm, or snow.

(B) No impounded vehicle shall be discharged or removed from its storage area except upon the payment by the owner of such vehicle or the owner's representative of such sums as are set by Ordinance of the city council for the removal and storage of said vehicle, and such other sums as the city may become obligated to pay for the removal and storage of said vehicle. Provided, however, that no towing or storage fee shall be charged for a stolen vehicle if the vehicle is claimed within four (4) days of receipt or seven (7) days after mailing of the notice of impounding, whichever shall first occur and if the claimant signs an affidavit stating that the claimant is the owner of the vehicle and the vehicle was stolen. If the vehicle is not claimed within four (4) days of receipt or ten (10) days of the sending of the notice, whichever shall first occur, then the vehicle owner shall pay the towing and storage fee before the vehicle shall be discharged or removed from its storage area. Provided that upon a showing of good cause to the transportation division by the vehicle owner as to why the vehicle was not claimed within the earlier of four (4) days of receipt of the notice or seven (7) days after mailing of the notice, the towing and storage fee may be waived.

Section 2. All Ordinances or parts of Ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This Ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMEMBER BLAIR—

Before suspensions, I move to reconsider the item regarding the amended and Restated Articles of Incorporation of the City of Lansing Building Authority.

Since the Internal Auditor cannot serve on this Building Authority, that we substitute the Council Executive Assistant instead.

Lost by the following vote:

YEAS: Adado, Blair, Creamer—3.

NAYS: Belen, Benavides, Lindemann, Schmidt, Worthington—5.

By COUNCILMEMBER BELEN—

That we remove the name of the Internal Auditor.

Adopted by the following vote:

YEAS: Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—7.

NAYS: Adado—1.

By COUNCILMEMBER BELEN—

That we adopt the Articles as amended.

Adopted by the following vote:

YEAS: Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—6.

NAYS: Adado, Blair—2.

By COUNCILMEMBERS SCHMIDT, BELEN, BENAVIDES, ADADO, BLAIR, AND LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter received from Larry Beckon, 1512 Pershing Dr., in regard to Satellite Dishes being placed in neighborhood yards.

Referred to the Mayor and Committee on Physical Development.

Notification received from Mike Wolfston regarding "A Family Reunion" Party to be at Riverfront Park Saturday, June 29, 1985 with proceeds to go to St. Vincent Home for Children.

Received and placed on file.

Letters received from Lansing School District and North Point Plaza Inc., regarding contacting the Michigan Dept. of Natural Resources before beginning excavation at Everett Elementary School property.

Received and placed on file.

Tax Anticipation Note Authorization Resolution Resolution #0286

At a regular meeting of the City Council of the City of Lansing, Michigan, held on the 24th day of June, 1985.

Present: Councilmembers Adado, Belen, Blair, Benavides, Creamer, Lindemann, Schmidt, Worthington.

Absent: None.

The following preamble and resolution were offered by Councilmember Adado and seconded by Councilmember Belen:

Whereas, the City of Lansing ("The City") is authorized by Section 3b of Chapter IV of Act 202 of the Public Acts of Michigan, as amended, MCL 131.1 et. seq. ("Act 202"), to borrow money and issue its notes ("Notes") in anticipation of the collection of all or part of the ad valorem real property taxes to be levied on July 1, 1985 ("Levy Date"), on real property located within the corporate boundaries of the City by the City and by any or all of the other units of government for which the City is the local property tax collecting unit pursuant to Act 206 of the Public Acts of Michigan of 1983, as amended, MCL 211.1 et. seq. ("Act 206"), including the Lansing School District, Holt Public Schools, the Ingham Intermediate School District, and Lansing Community College (collectively, the "Units"), and

Whereas, the City is authorized by Act 202 to distribute to itself and to the Units the proceeds of such notes together with sufficient amounts of the initial tax collections, if needed, to effect a partial funding of the taxes levied, thereby providing the City and the Units with an improved cash flow for local budget purposes, and

Whereas, the City has provided notice to each of the Units of its intent to issue such notes, and

Whereas, pursuant to such notice, the Units have each adopted or are expected to adopt a resolution to consent to and request the issuance of the notes and to authorize the execution of an agreement with the City dated as of July 1, 1985 (collectively, the "Tax Levy Agreement") to set forth the responsibilities of the City and each Unit with respect to the notes, and

Whereas, the issuance of such notes will serve a public purpose, and

Whereas, the City hereby determines to borrow an amount of \$30,000,000 and issue its tax anticipation notes to evidence such borrowing.

Now, Therefore Be It Resolved as follows:

1. In addition to the words and terms defined in the preamble, the following words and terms as used in this resolution (the "Note Authorizing Resolution") shall

have the following meanings:

"Bank" refers to Bankers Trust Company.

"Indenture" refers to the Indenture of Trust dated as of July 1, 1985, by and between the City and the Trustee.

"Letter of Credit" refers to the irrevocable direct Letter of Credit issued by the Bank in favor of the Trustee for the benefit of the holders of the Note.

"Letter of Credit Agreement" refers to the Letter of Credit Agreement dated as of July 1, 1985, by and between the Bank and the City, which provides for the issuance of the Letter of Credit by the Bank.

"Note Purchase Agreement" refers to the Note Purchase Agreement dated as of July 1, 1985, by and between the City and the Bank, which provides for the initial purchase of the Notes by the Bank.

"Notes" refers to the City's Tax Anticipation Variable Rate Demand Notes, Series 1985.

"Official Statement" refers to the Official Statement dated as of the date of its issuance and pertaining to the Notes.

"Pledge Agreement" refers to the Pledge and Security Agreement dated as of July 1, 1985, between the Bank and the City.

"Purchaser" refers to Bankers Trust Company in such capacity.

"Remarketing Agent" refers to Bankers Trust Company in such capacity.

"Remarketing Agreement" refers to the TENR (R) Services and Remarketing Agreement dated as of July 1, 1985, between the Remarketing Agent and the City.

"Tax Levy" means the ad valorem real property taxes levied by the Units and the City on the Levy Date on real property located within the corporate boundaries of the City but shall not include any industrial facilities taxes levied pursuant to Act 198 of the Public Acts of Michigan of 1974, as amended, commercial facilities taxes levied pursuant to Act 255 of the Public Acts of Michigan of 1978, as amended, or tax increment revenues levied pursuant to Act 450 of the Public Acts of Michigan of 1980, as amended.

"Tender Agent" refers to Bankers Trust Company in such capacity.

"Tender Agent Agreement" refers to the Tender Agent Agreement dated as of July 1, 1985, between the Tender Agent, the Trustee, and the City.

"Trustee" refers to that entity designated as Trustee under the Indenture by the City and approved by the Bank prior to the issuance of the Notes.

2. The City shall borrow \$30,000,000 and issue, in anticipation of the pledged portion of the Tax Levy, the Notes pursuant to Act 202. If, upon consultation with City officials, note counsel determines that notes issued in the amount of \$30,000,000 would not be tax exempt, the Mayor and the City Clerk are hereby authorized to issue the Notes in such lesser amount as would be, in the opinion of note counsel, tax exempt.

3. The Notes shall be dated as provided in the Indenture and shall bear interest at a maximum rate of twelve per cent (12%) per annum and shall be issued and payable upon the terms and conditions, including certain rights and obligations of redemption, acceleration and purchase prior to maturity as set forth in the Indenture on file with the City Clerk.

4. The Council hereby determines that the Notes are payable not later than the estimated time of collection of an amount sufficient for payment of the Notes out of

the taxes pledged therefor.

5. The principal of and interest on the Notes shall be payable primarily from and secured by the Trust Estate, to be defined in the Indenture, including without limitation, (i) the Revenues, as defined in the Indenture, and (ii) the rights of the City under the Tax Levy Agreements, all in the manner and as set forth in the Indenture, which Trust Estate shall be assigned pursuant to the Indenture by the City to the Trustee for the benefit of the Bank, as the issuer of the Letter of Credit, and the holders of the Notes.

6. The Notes and the obligations of the City under the Indenture, Letter of Credit Agreement, Remarketing Agreement, Tender Agent Agreement, Pledge Agreement, and Note Purchase Agreement shall be general obligations of the City, secured by its full faith and credit, which shall include the City's limited tax obligations within applicable charter, statutory, and constitutional limits. Should the Trust Estate, as defined in the Indenture, prove insufficient for the payment of principal of and interest on the Notes or the City's satisfaction of the City's obligations under the Indenture, Letter of Credit Agreement, Remarketing Agreement, Tender Agent Agreement, or Pledge Agreement, the City shall pay the principal of and interest on the Notes or satisfy such obligations as a first budget obligation from its general funds including the levy of ad valorem taxes on all taxable property in the City, subject to constitutional, statutory and charter tax limitations. The City does not have the power to levy taxes for payment of principal of and interest on the Notes or to satisfy its obligations under the Indenture, Letter of Credit Agreement, Remarketing Agreement, Tender Agent Agreement, Pledge Agreement, and Note Purchase Agreement in excess of its charter, statutory, and constitutional limitations.

7. The Notes shall be sold at a private sale to the Purchaser pursuant to Act 202 in accordance with the Note Purchase Agreement. A notice of the sale of the Notes shall be published in a publication approved by the Michigan Department of Treasury within 45 days after delivery of the Notes to the Purchaser in conformity with Act 202.

8. All fees, charges, and costs associated with the issuance of the Notes shall be paid in accordance with the terms of the Indenture.

9. The Mayor and the City Clerk are authorized and directed to execute and deliver the Notes, in the manner set forth in the Indenture in substantially the form approved with such necessary and appropriate immaterial variations, omissions, corrections and insertions as required, for and on behalf of the City.

10. The form and substance of the Indenture, Letter of Credit Agreement, Remarketing Agreement, Tender Agent Agreement, Pledge Agreement, Note Purchase Agreement and Tax Levy Agreements on file with the City Clerk are hereby approved. The Mayor and City Clerk are authorized and directed to execute and deliver the Indenture, Letter of Credit Agreement, Remarketing Agreement, Tender Agent Agreement, Pledge Agreement, Note Purchase Agreement and Tax Levy Agreements in substantially the form approved with such necessary and appropriate variations, omissions, corrections, and insertions as may be required which are not disadvantageous to the City.

11. The Notes shall be delivered with the unqualified legal opinion of Miller, Canfield, Paddock, and Stone, bond attorneys of the City of Lansing and Detroit, Michigan, who are designated as note counsel with respect to the Notes.

12. The Mayor, City Clerk, City Assessor, City Treasurer, City Attorney, Finance Director and/or City Controller are authorized and directed to execute and deliver such other certificates, affidavits, or other documents or instruments as may be required by the

Indenture, Letter of Credit Agreement, Remarketing Agreement, Tender Agent Agreement, Pledge Agreement, Note Purchase Agreement and Tax Levy Agreements and/or convenient to effectuate the execution and delivery of such documents or the Notes.

13. The City Controller be and hereby is directed to file Application to the Michigan Department of Treasury for approval to issue the Notes.

14. All actions taken on behalf of the City by the City Treasurer, the City Attorney, the City Controller or other officials of the City with respect to the issuance of the Notes, including negotiations with the Bank, Purchaser, Remarketing Agent, Tender Agent, Trustee, and Units, are ratified.

15. This Note Authorizing Resolution shall be effective immediately upon adoption by Council.

16. All resolutions or parts of resolutions in conflict with this Note Authorization Resolution shall be, and the same are, rescinded.

YEAS: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington.

NAYS: None.

Resolution declared adopted, this 24th day of June, 1985.

I hereby certify that the attached is a true and complete copy of a resolution adopted by the City Council of the City of Lansing, Counties of Ingham and Eaton, State of Michigan, at a Regular Meeting held on the 24th day of June, 1985, and that public notice of said meeting was given pursuant and in full compliance with Act No. 267, Public Acts of Michigan, 1976 and that minutes of the meeting were kept and will be or have been made available as required by said Act.

Rita Bauman
City Clerk

By COUNCILMEMBER BELEN—

Resolution #0287

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing wishes to have a hotel constructed on the 100 block of East Michigan Avenue, and

Whereas, to construct such a Hotel, exterior design approval must be secured from the owners of an adjacent office building, and

Whereas, the owners of that Building have agreed to approve the exterior design of the Hotel provided a canopied walkway is constructed between the office building and the hotel, and

Whereas, a portion of that walkway must be constructed on City owned right of way.

Now, Therefore Be It Resolved that the City Council approves entry into an agreement permitting the construction of such a walkway upon City right of way substantially in form attached hereto, and

Be It Finally Resolved, that the Mayor and City Clerk are authorized to sign such an agreement on behalf of the City.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER ADADO—

Resolution #0288

Resolved by the City Council of the City of Lansing:

Whereas, Kenneth Dillingham has served on the Board of Police Commissioners since his appointment on June 10, 1969, and

Whereas, Kenneth Dillingham's background in police and security work is extensive, having been an employee of the Lansing Police Department as well as Oldsmobile Plant Protection, and

Whereas, Ken's sixteen years of service on the Police Board was characterized by good attendance and enthusiastic attendance, and

Whereas, Mr. Dillingham was not re-appointed to serve another term on this very important City Board.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby officially expresses sincere appreciation and gratitude to Kenneth Dillingham for his long and dedicated service to this community as an outstanding member of the Board of Police Commissioners.

Adopted by the following vote:

Unanimously.

REMARKS BY THE MAYOR

Local street repair.

Sewer work update.

Status of Waverly Road Project.

Work on Pumping Station modifications.

Complaints from Construction Projects, identify project and refer to Mayor's office.

Announced that abandoned vehicle auction would be held June 26 in the Council Chambers.

REMARKS BY THE CITY COUNCIL

Councilmember Benavides asked about the schedule of the city street sweepers, especially in the Colonial Village area.

Councilmember Creamer remarked about the parking meters being out of service in the Washtenaw Street area of Knapp's Building.

Gary Andrews, 560 Brookland Ave., spoke regarding the passage of the Ordinance for rezoning of property at 406 E. Holmes Rd.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 10:57 P.M.

RITA BAUMAN,
City Clerk

June 24, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

293

Proceedings, June 27, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

June 27, 1985

The City Council of the City of Lansing, Michigan, met in special session and was called to order by President Creamer at 3:00 p.m..

Present: Councilmembers Belen, Benavides, Creamer, Lindemann, Schmidt—5.

Absent: Adado, Blair, Worthington—3.

The Deputy Clerk announced that a quorum of the Council was present.

The Deputy City Clerk announced that signed receipts as to proof of service on each Councilmember and the State Journal are on file in the City Clerk's office.

In compliance with the Open Meetings Act of 1976, the Special Meeting Notice is also attached.

Resolution #0286

Tax Anticipation Note Ratification Resolution

At a special meeting of the City Council of the City of Lansing, Michigan, held on the 27th day of June, 1985.

PRESENT: Councilmembers Belen, Benavides, Creamer, Lindemann, and Schmidt.

ABSENT: Councilmembers Adado, Blair, and Worthington.

The following preamble and resolution were offered by Councilmember Lindemann and seconded by Councilmember Belen:

Whereas, the City Council on June 24, 1985 adopted a certain Tax Anticipation Note Authorizing Resolution (the "Resolution"), in which the City determined to borrow an amount of \$30,000,000 and authorized issuance of its tax anticipation notes to evidence such borrowing, and

Whereas, this Council desires to ratify, confirm, and readopt such prior actions.

Now, Therefore Be It Resolved as follows:

1. The Resolution attached hereto and made part hereof is hereby ratified, confirmed, and re-adopted.

2. This Resolution shall be effectively immediately upon adoption by this Council.

YEAS: Councilmembers Belen, Benavides, Creamer, Lindemann, Schmidt—5.

NAYS: None.

Resolution declared adopted, this 27th day of June, 1985.

I hereby certify that the attached is a true and complete copy of a resolution adopted by the City Council of the City of Lansing, Counties of Ingham and Eaton, State of Michigan, at a Special Meeting

held on the 27th of June, 1985, that proper notice was given to each member of the City Council in accordance with the requirements of the City Charter and Michigan law, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that minutes of the meeting were kept and will be or have been made available as required by said Act.

Rita M. Bauman
City Clerk

By COUNCILMEMBER LINDEMANN—

That Councilmembers Adado, Blair, and Worthington be excused from the meeting.

Carried.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 3:05 P.M.

RUTH WARD,
Deputy City Clerk

June 27, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

294

Proceedings, July 1, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

July 1, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Benavides.

Pledge of allegiance.

By COUNCILMEMBER BENAVIDES—

That the Council Proceedings of May 20, May 28, and June 3, 1985 be approved.

Carried

PUBLIC HEARING

July 1, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Redevelopment District CRD-7-85, 6272 S. Logan Street for Action Auto, Inc.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed district they had the chance of speaking at this time.

No person spoke.

Referred to the Committee on Economic Development.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Mayor's letter 4a was pulled from the agenda.

Speakers in regard to Communication #8 and wanting the Washington Mall opened up to two-way traffic were:

Paul LaMacchia, Mac's Cigar Store.

Dora Pollo, 732 Princeton.

William Marx, 1717 Blair.

Hahn Phung, 316 S. Washington.

George Kafantaris, 227 S. Washington.

Eddie Seely, 231 S. Washington.

Tina Seely, 231 S. Washington.

Richard Baibak, Knapp's Bldg. representative.

Glenna DeJong, 312 S. Clemens, spoke regarding claim 1b on the agenda in the amount of \$30.00

reimbursement for towing fees.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been submitted for licenses:

Sign Erector: Inter-City Neon, Inc.
Automobile Wrecker Service: Mac's All Car.
Beer and Wine Carry Out: 7-11 Store, 4020 S. Cedar St.

Referred to the Committee on General Services.

Suit filed with State of Michigan Tax Tribunal by Burroughs Corp. vs. City of Lansing.

Referred to the Mayor and City Attorney.

Claims filed by:

a. Robert J. Reidsma, Williamston, MI for reimbursement of damages from towing fees.

b. Lloyd Gibbs, 1114 Alsdorf St., for reimbursement of special assessment for property at 114 and 116 Baker St.

c. Margaret and Dan Beard, 110 Cox Blvd., for reimbursement of damages for automobile accident due to street repair.

Referred to the Mayor and City Attorney.

Application for Industrial Facilities Exemption Certificate (and withdrawal of application for Commercial Facilities Exemption Certificate) filed by Quality Dairy Co, 2100 S. Washington Ave.

Referred to the Mayor and Committee on Economic Development.

Neogen Corporation files request for establishment of Plant Rehabilitation District for 620 Leshar Place.

Referred to the Mayor and Committee on Economic Development.

Edward Rose Realty, Inc. submits letter for final plat approval of Trappers Cove Subdivision No.3.

Referred to the Mayor and Planning Board.

Petitions filed by residents to install a stop sign at the corner of Fauna and Catherine Street.

Referred to the Mayor and Traffic Board.

Letter from Liebermann's opposing any change in the Washington Avenue Mall.

Referred to the Mayor and the Committee on Public Properties and Safety.

Request filed by D. S. Nussdorfer to make vacated S. Pennsylvania Court a part of the City street system.

Referred to the Mayor and Planning Board, Public Service Board, and Traffic Board.

Lansing Dragon Motorcycle Club 4B's Racing Team submits request for a permit for street motorcycle racing.

Referred to the Mayor.

Letter from Willie Pearl Boyd regarding food served at Riverfront Park Ethnic Festival.

Received and placed on file with copy to the Ingham County Health Department.

Notice of public hearing before the Michigan Public Service Commission in the matter of the application of Consumers Power Co. for authority to amend Rules M.P.S.C. No. 7 Gas.

Received and placed on file.

Michigan Department of Natural Resources submits:

a. Notice that Ralph W. Ramsdill, Grand Ledge, MI has applied for permit to place fill in the floodplain of the Grand River.

b. Permit for construction within the Red Cedar River Floodplain by Howard Corbin, 1105 Parkdale.

Received and placed on file.

MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:

Mayor's letters 4b (Correspondence from Sen. William Sederburg re: transfer of deed); 4c (Appointment of Larry L. Meyer to Waterfront Development Board) and 4d (Reappointment of Agnes Ziegler to Senior Citizens Advisory Board.)

REPORTS OF COMMITTEES

The Committee on General Services—

Approves the following licenses and bonds:

Sign Erector: Inter-City Neon, Inc.
Automobile Wrecker Service: Mac's All Car.
Beer and Wine Carry Out: 7-11 Store, 4020 S. Cedar St.

Signed,

Sidney Worthington
Charles Creamer
Alfreda Schmidt
Committee on General Services

By COUNCILMEMBER WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The Committee on Public Properties and Safety—

To whom was referred the Ordinance amending Chapter 31 by revising Section 31-37.2 to provide for the closing of City Streets or portions thereof to non-local traffic,

Reports as follows: That said Ordinance be approved.

Signed,

Patrick Lindemann
James Blair
Louis Adado
Committee on Public Properties and Safety

By COUNCILMEMBER LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The Committee on Public Properties and Safety—

To whom was referred the Proposed Radio Maintenance Contract with Lansing Township,

Reports as follows: The Committee hereby officially refers this matter back to the Mayor for his action.

Signed,

Patrick Lindemann
James Blair
Louis Adado
Committee on Public Properties and Safety

By COUNCILMEMBER LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The Committee on Public Properties and Safety—

To whom was referred the matter of enforcement of the City's recently enacted Trash Ordinance,

Reports as follows: The Committee hereby requests a representative of the Administration (Mr. Tubbs) to attend the Public Properties and Safety Committee meeting on July 11 at 12:00 noon to discuss this new Ordinance and its enforcement.

Signed,

Patrick Lindemann
James Blair
Louis Adado
Committee on Public Properties and Safety

By COUNCILMEMBER LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

City Attorney's letter 1a - claim of Matthew John Bradstreet in the amount of \$272.70 was pulled for one week and referred back to the City Attorney and Public Service Department for checking how the information on street claims are documented between departments.

June 25, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Glenna DeJong in the amount of \$30.00.

Dear President Creamer
and Members of City Council:

On February 26, 1985, Glenna DeJong submitted a claim in the amount of \$30.00 for towing charges. The claimant states that her car was towed at 11:10 a.m. on February 22, 1985 from a public dead-end alley for blocking a traffic lane. The claimant states that she parked her car on Monday night, February, 1985, in a position that did not obstruct the alley. Tuesday morning at 7:30 a.m. the claimant states she left her house for a class at Michigan State University. The claimant could not get her car out of the alley because another car had blocked in her car. The claimant called and received a ride to class with a friend.

Information received from the Lansing Police Dept. indicates that the claimant's vehicle was towed on February 22, 1985, at 11:10 a.m. The investigating officer radioed to obtain authorization to have the vehicle towed because it obstructed the alley. The authorization to have the vehicle towed was granted by the Shift Sergeant, and the vehicle was towed by Northside Wrecker Service.

Pursuant to Section 31-127, the Code of Lansing Ordinances, members of the police department are authorized to remove a vehicle from the street where that vehicle obstructs the normal movement of traffic.

Based upon the above information, it is a recommendation of this department that this claim be denied.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER LINDEMANN—

That we do not concur in the recommendation of the City Attorney and this claim be paid in the amount of \$30.00

Councilmember Blair left the meeting.

Adopted by the following vote:

Unanimously.

June 25, 1985

President Charles Creamer
and Members of City Council

RE: Claim of James Desormier for reimbursement for pothole damage to a tire from his automobile.

Dear President Creamer
and Members of City Council:

On April 10, 1985, James Desormier submitted a claim for reimbursement for pothole damage to a tire from his automobile. The claimant submitted a receipt indicating the amount of the tire damage; however, that receipt is smudged, and the actual amount undeterminable. The claimant states on February 25, 1985, while it was raining, he struck a pothole on Burnway Drive which was filled with water, causing a flat tire.

A report received from the City Engineer indicates that notice was received at approximately 2:09 p.m. on February 25, 1985, regarding a pothole at or near the intersection of Burnway and Woodbridge Streets. The pothole was filled the same day. The City Engineer indicates that no complaints were received prior to this date for this particular area.

Pursuant to MCLA 691.1403; MSA 3.996 (109), a municipality is immune from court liability for damages caused by defective highways unless the municipality knew or, in the exercise of reasonable diligence, should have known of the existence of the defect and had a reasonable time to repair that defect before the injury took place.

Applying the aforementioned statutory provisions to the facts presented in this claim, the City of Lansing had no prior notice of the defect existing on Burnway near Woodbridge Street.

Therefore, the recommendation of this office is that this claim should be denied on the basis of governmental immunity.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

June 27, 1985

Mayor Terry J. McKane,
Council President Charles Creamer,
and Lansing City Council Members

Dear Mayor McKane and Council Members:

As you will remember, insufficient revenues have been received from the budgeted sources to pay the City's Section 108 loan to HUD for the Capitol Commons Project. As a remedy to this shortfall, the Tax Increment Finance Authority was asked to amend its Capitol Commons Finance Plan to allow for a capturing of revenue for additional years, as necessary to finance the shortfall. The Authority has made this requested amendment, and the revised Tax Increment Financing Plan for the Capitol Commons Phase II Acquisition Project is attached.

For the Council to approve this amendment, a public hearing must be held after appropriate public notice. Attached is a resolution for Council action which would initiate the process. I recommend that the Council authorize the public hearing on August 5, 1985 for this amendment.

Very truly yours,

Emerson B. Ohl

Referred to the Committee on Economic Development.

June 27, 1985

TO: City Council President Charles Creamer

SUBJECT: 54-A District Court's Appointment of Part-time Magistrate.

Dear President Creamer:

After extensive interviewing, the Judges of the Court have appointed Terrance A. Clem of Lansing to the newly created position of Part-Time Magistrate.

Terrance Clem had served the Court as one of its Judges for over sixteen years. His years of experience on the bench will be a great asset to this position in particular and to the Court in general.

At this time, the Judges respectfully request the Council to approve the appointment of Terrance A. Clem to this position.

Sincerely,

Charles F. Filice
Chief District Judge

Referred to the Committee on Ways and Means.

June 14, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

Attached is a letter from William A. Sederburg. I have provided it to you for information only. I don't believe it requires any action on the part of the City. (Of course, staff is available to discuss it with you in committee if you so desire.)

I appreciate Senator Sederburg's leadership in assisting the City to acquire these parcels of land. (Note: It will be some months before the legislation is actually drafted and introduced.)

Sincerely,

Terry J. McKane
Mayor

Received and placed on file.

June 26, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

I herewith submit to you for your consideration and confirmation the appointment of Larry L. Meyer to the Waterfront Development Board. The term will expire in June, 1988.

Mr. Meyer has been a Lansing resident for a number of years and resides at 2923 Kirkwood Rd. He is active in the development of the downtown area, and other organizations.

I trust you will give careful consideration to the appointment of Larry L. Meyer to this important Board.

Best personal regards.

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

June 27, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

I herewith submit to you for your consideration and confirmation the reappointment of Agnes Ziegler to the Senior Citizens Advisory Board. This term will expire June, 1989.

I trust you will give careful consideration to the reappointment of Ms. Ziegler to this Board.

Thank you for your cooperation.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BLAIR—

That we concur in the recommendation of the Mayor and reappoint Agnes Ziegler to the Senior Citizens Advisory Board.

Carried.

June 26, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

As the attached letter indicates, the Tri-County Office on Aging would like the City to co-sponsor an event at the Civic Center on September 6, 1985 from 6:30 to 9:00 p.m.

Given the importance of this event to our community's senior citizens, I recommend City co-sponsorship at a cost of up to \$1,000.

I would also request that the parking fee for the Civic Center parking lot be waived for this event.

I am pleased that I was able to assist in obtaining new MSU President, Dr. John DiBiaggio as the evening's keynote speaker. I'm sure he will be very helpful in making the event a great success.

As always, I will appreciate your support of our important senior citizen services.

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 6/26/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Lansing Traffic Board.

RE: Financial Feasibility Study, North Grand Structure Expansion, Pedway, and Convention Center Lot.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 6/27/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Planning and Municipal Development.

RE: Commercial Redevelopment District Application Review and Recommendation.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Referred to the Committee on Economic Development.

DATE: 6/27/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Planning and Municipal Development.

RE: Request for Public Hearing (301 S. Larch, Lot 8, Block 2, J.H. Moores Subd. on Block 242 of the City of Lansing).

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and set the public hearing on August 5, 1985 for the make safe or demolition of property at 301 S. Larch St.

Carried.

DATE: 6/27/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Planning and Municipal Development.

RE: Weed Cutting Assessment for L-27 December 1985 Tax Roll \$3,071.25.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and the Weed Cutting Assessment in the amount of \$3,107.25 be placed on the L-27 December 1985 Tax Roll.

Carried.

DATE: 6/27/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Planning and Municipal Development.

RE: Weed Cutting Assessment for L-27 December 1985 Tax Roll \$2,218.75.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and the Weed Cutting Assessment in the amount of \$2,218.75 be placed on the L-27 December 1985 Tax Roll.

Carried.

DATE: 6/27/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Planning and Municipal Development.

RE: Weed Cutting Assessment for L-27 December 1985 Tax Roll \$2,433.75.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and the Weed Cutting Assessment in the amount of \$2,433.75 be placed on the L-27 December 1985 Tax Roll.

Carried.

DATE: 6/27/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Planning and Municipal Development.

RE: Weed Cutting Assessment for L-27 December 1985 Tax Roll \$2,625.00.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and the Weed Cutting Assessment in the amount of \$2,625.00 be placed on the L-27 December 1985 Tax Roll.

Carried.

DATE: 6/27/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Planning and Municipal Development.

RE: Trash Removal Assessment - U-29 December 1985 Tax Roll \$3,214.53.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and the Trash Removal Assessment in the amount of \$3,214.53 be placed on the U-29 December 1985 Tax Roll.

Carried.

DATE: 6/27/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Planning and Municipal Development.

RE: Trash Removal Assessment U-29 December 1985 Tax Roll \$4,133.50.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and the Trash Removal Assessment in the amount of \$4,133.50 be placed on the U-29 December 1985 Tax Roll.

Carried.

RESOLUTIONS

By COMMITTEE OF THE WHOLE—

Resolution #0289

Resolved by the City Council of the City of Lansing:

Whereas, Mrs. Ida Butterfield celebrates her 100th birthday on July 8, 1985, and

Whereas, she first came to Michigan at the age of seventeen and married Lyle G. Butterfield (an employee of the State Journal), and

Whereas, the Butterfields resided at 1718 Linval Street in the City of Lansing for 65 years and

Whereas, Ida Butterfield exemplified good citizenship as she raised her three children and

Whereas, her extensive community involvement includes working with the election board at Christianity Street Elementary for many years, being active in three PTA organizations, as well as serving as President of the Walter French PTA in 1926, and

Whereas, Ida's membership in fraternal and religious organizations is also significant, participating with the Pride of Ingham Rebekah Lodge #496, Lansing Chapter #12 of the Blue Star Mothers, the Eastern Star and the Faith United Methodist Church of Lansing for many years.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby officially wishes Ida Butterfield a very happy 100th Birthday, and

Be It Finally Resolved, the City Council additionally extends its warm appreciation to Ida Butterfield for her significant contribution to this community.

Adopted by the following vote:

Unanimously.

Councilmember Blair left the session.

By COMMITTEE ON ECONOMIC DEVELOPMENT—

Resolution #0290

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Plant Rehabilitation District IPR-3-75 in the City of Lansing, pursuant to Public Act 198 of 1974, as amended, at 2200 Olds Avenue, and

Whereas, in 1975 the Lansing City Council granted an Industrial Facilities Exemption Certificate to Industrial Welding, Inc., and

Whereas, Industrial Welding, Inc. has submitted an application for an amendment to the original certificate for new equipment, machinery, and other improvements, and

Whereas, a hearing was held on Industrial Welding's application for an amendment to the Exemption Certificate on June 10, 1985 at which time all interested persons had an opportunity to be heard, and

Whereas, Industrial Welding, Inc. has met the requirements for an amendment to said Exemption Certification as required by Public Act 198 and by the policies of this Council, and

Whereas, this Council finds that the granting of the amendment to this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem

property taxes in the City of Lansing (financial impact statement dated June 27, 1985 attached hereto).

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the application from Industrial Welding, Inc. for an amendment to the existing Exemption Certificate in Lansing Plant Rehabilitation District IPR-3-75, to expire at the same time as the original certificate on December 31, 1990.

Adopted by the following vote:

Unanimously.

Resolution #0291

Resolution approving project area, establishing project district area, and confirming appointment of additional directors to the board of directors of the issuer.

(Greater Lansing Board of Realtors Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan held at 7:00 o'clock p.m. Michigan time, on July 1, 1985, at which the following members were present:

Councilmembers Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, and Worthington.

and the following were absent:

Councilmember Blair.

The following preamble and resolution were offered by Councilmember Adado and supported by Councilmember Belen:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources, and

Whereas, the Act provides a means by which these needs may be addressed, and

Whereas, Greater Lansing Board of Realtors, an association of local realtors (the "Company") has proposed a project (the "Project") to the Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions, and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and Project District Area for its Project to this City Council for its approval thereof.

Now, Therefore Be It Resolved, by the City Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer, is hereby certified as approved:

See Exhibit "A".

2. The territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area having the same description as the Project Area herein certified as approved is established.

3. Pursuant to Sections 20(b) and (c) of the Act, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed.

4. This Council hereby advises and consents to the appointment by the chief executive officer of the City of Lansing of Howard Ivey and Harold Mingus as additional directors to the Board of Directors of the Issuer, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.

5. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

YEAS: Councilmembers Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, and Worthington.

NAYS: None.

ABSTENTIONS: None.

Resolution declared adopted.

Adopted by the following vote:

Unanimously.

I hereby certify that the attached is a true and complete copy of a resolution adopted by the City Council of the City of Lansing, Counties of Ingham and Eaton, State of Michigan, at a Regular Meeting held on the 1st day of July, 1985, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that minutes of the meeting were kept and will be or have been made available as required by said Act.

Rita M. Bauman
City Clerk

Exhibit A

Commencing at the Southwest Corner of Lot 4 Westwood Subdivision No. 1, a Subdivision of part of SE ¼ of NW ¼, Section 5, T4N, R2W, Lansing Township, Ingham County, Michigan; thence S 00° 54' 58" W, 53.32 feet to the centerline of Grand River Avenue; thence N 68° 48' 00" W, 568.50 feet along said centerline to the Point of Beginning of a Meander Line of Horsebrook Drain; thence N 21° 12' 00" E, 50.00 feet along said Meander Line; thence N 45° 04' 38" E, 395.08 feet to the Point of Ending of said Meander Line; thence due East 193.77 feet to the West line of said Westwood Subdivision No. 1; thence S 00° 54' 58" W, 459.86 feet to the Point of Beginning. Subject to a 30 foot Ingress and Egress easement to others, being 15' either side of a centerline, when measured at right angles, the centerline being described as follows: Commencing at a point on the centerline of Grand River Avenue distant S 00° 54' 58" W, 53.32 feet and N 68° 48' 00" W, 16.06 feet from the Southwest Corner of said Lot 4 of Westwood Subdivision No. 1; thence N 00° 54' 58" E, 507.68 feet to the Point of Ending of said centerline. The above described lands are also subject to the rights of the public over the Northerly 50.00 feet of Grand River Avenue. The Area noted is to the Meander Line of Horsebrook Drain; ownership extends to the centerline.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolution #0293

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Industrial Plant Rehabilitation District IPR-3-85, proposed by R. G. and Irma J. Curtiss for 630 Park Place and more particularly described as:

Lots No. 1 and 2 of Block 2, J. H. Moore Subdivision of Block 242, City of Lansing, according to the recorded plat there, Ingham County, Michigan.

Now, Therefore Be It Resolved, that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District, and

Be It Further Resolved, that such hearing be held at the Council Chambers in the City Hall on the 22nd day of July, 1985, at 7:00 p.m., and that notice of such hearing be published in a publication of general circulation in said City.

Adopted by the following vote:

Unanimously.

Councilmember Blair returned to the meeting.

Resolution #0289

Public Improvement V

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

That the supplementary special assessment roll for Roll 50T - Removal of Dead Trees on Private Property:

Assessment Roll #50T, 3329 Turner Street, for \$585.00,

As returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll on or before October 1, 1985.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0294

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Planning Division has completed an Act 285 review on the request made by adjacent property owners located at 4101 and 4023 Lowcroft to vacate a section of Fenton Street located east of Lowcroft, and

Whereas, the Lansing Planning Board has discussed information contained in the Act 285 review and concurs with the recommendation of the Planning Division that the street be vacated subject to reservation of easement rights requested by the Board of Water and Light, and

Whereas, the Committee on Public Properties and Safety of City Council reviewed the recommendations of the Planning Board and concurred therewith.

Now, Therefore Be It Resolved, that a section of Fenton Street located east of Lowcroft, described as:

The west 125 feet of the Fenton Street right-of-way, Foster S. Holmes Subdivision, City of Lansing, Ingham County, Michigan,

Is hereby abandoned and vacated subject to reservation of easement rights by the Board of Water and Light, and

Be It Further Resolved, that the property vacated be transferred to the adjacent property owners in accordance with State law, and

Be It Finally Resolved, that the City Clerk is hereby

authorized and directed to record a certified copy of this resolution with the Register of Deeds.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0295

ACT-17-85

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Planning Division has completed a Public Act 285 review on the request made by the Board of Water and Light to acquire the west 100 feet of the City of Lansing owned property in the 1000 block of Filley Street, and

Whereas, the Lansing Planning Board has reviewed the information contained in the Act 285 review and concurs with the recommendation that the City property be divided and sold to the Board of Water and Light for the sum of one dollar (\$1.00), and

Whereas, the Lansing City Council also concurs with that recommendation.

Now, Therefore Be It Resolved, that a portion of the City owned property legally described as:

That part of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 5, T4N, R2W, Lansing Township, Ingham County, Michigan, commencing at a point on the northerly line of Filley Street and the West line of Lot 8 of Scott's Subdivision on Sections 4 and 5, as recorded on page 17 in Liber 3 of Ingham County Plats, said point of beginning being North 440.96 feet and South 59° 41' East 489.0 feet from the SW corner of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 5; running thence North on West line of said Lot 8, 200.0 feet; thence West 200.0 feet; thence South 83.05 feet to northerly line of Filley Street; thence South 59° 41' East 231.68 feet to point of beginning

be divided into two parcels, legally described as:

PARCEL A

The west 100 feet of that part of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 5, T4N, R2W, Lansing Township, Ingham County, Michigan, commencing at a point on the northerly line of Filley Street and the West line of Lot 8 of Scott's Subdivision on Sections 4 and 5, as recorded on page 17 in Liber 3 of Ingham County Plats, said point of beginning being North 440.96 feet and South 59° 41' East 489.0 feet from the SW corner of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 5; running thence North on West line of said Lot 8, 200.0 feet; thence West 200.0 feet; thence South 83.05 feet to northerly line of Filley Street; thence South 59° 41' East 231.68 feet to point of beginning, and,

PARCEL B

The east 100 feet of that part of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 5, T4N, R2W, Lansing Township, Ingham County, Michigan, commencing at a point on the northerly line of Filley Street and the West line of Lot 8 of Scott's Subdivision on Sections 4 and 5, as recorded on page 17 in Liber 3 of Ingham County Plats, said point of beginning being North 440.96 feet and South 59° 41' East 489.0 feet from the SW corner of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 5; running thence North on West line of said Lot 8, 200.0 feet; thence West 200.0 feet; thence South 83.05 feet to northerly line of Filley Street; thence South 59° 41' East 231.68 feet to point of beginning, and

Be It Further Resolved, that Parcel A as described above be deeded to the Board of Water and Light for the sum of one dollar (\$1.00) while Parcel B, the remainder of the land, be retained by the City of Lansing, and

Be It Finally Resolved, that the City Property Manager, together with the assistance of the City Attorney, is hereby authorized and directed to provide for the exchange of the property for the said monetary consideration and file all necessary papers approving the sale of property.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0296

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor, and the Committee on Public Properties and Safety have all recommended approval of a Transportation Division Staff proposal for traffic control at the intersection of Gary Avenue and Harris Street.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the installation of a stop sign for traffic on Gary Avenue at Harris Street.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0297

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor, and the Committee on Public Properties and Safety have all recommended approval of a Transportation Division Staff proposal for traffic control at the intersection of Hickory Street and Holmes Street.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the installation of a stop sign for traffic on Hickory Street at Holmes Street.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0298

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor, and the Committee on Public Properties and Safety have all recommended approval of a petition request for changes in the parking regulations on Willard Avenue.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the installation of a Two Hour Parking 8:00 a.m. to 6:00 p.m. Monday thru Friday zone on the south side of Willard Street from Almar Lane to Palmer Street.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0299

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the

Traffic Board, the Mayor, and the Committee on Public Properties and Safety have all recommended approval of a request from a resident through Councilmember Adado for traffic control at the intersection of Gordon Avenue and Beal Avenue.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the installation of yield signs on Gordon Avenue at Beal Avenue.

Whereas, the Transportation Division staff, the Traffic Board, the Mayor, and the Committee on Public Properties and Safety have all recommended approval of a traffic control request from a resident through Councilmember Adado for traffic control at the intersection of Poxson Avenue and Beal Avenue.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the installation of yield signs on Poxson Avenue at Beal Avenue.

Whereas, the Transportation Division staff, the Traffic Board, the Mayor, and the Committee on Public Properties and Safety have all recommended approval of a traffic control request from a resident through Councilmember Adado for traffic control at the intersection of Cooper Avenue and Beal Avenue.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the installation of yield signs on Cooper Avenue at Beal Avenue.

Whereas, the Transportation Division staff, the Traffic Board, the Mayor, and the Committee on Public Properties and Safety have all recommended approval of a traffic control request from a resident through Councilmember Adado for traffic control at the intersection of Lenore Avenue and Beal Avenue.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the installation of yield signs on Lenore Avenue at Beal Avenue.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0300

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor, and the Committee on Public Properties and Safety have all recommended approval of a request from Councilmember Lindemann for changes in the parking regulations on East Michigan Avenue in the 2300 block.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the installation of a One Hour Parking, 8:00 a.m. to 6:00 p.m. time zone on the north side of Michigan Avenue from 121 feet west of Foster Street to Hayford Street.

The following changes will be required in the City Traffic Code:

DELETE: No Parking At Any Time 8:00 a.m. to 6:00 p.m. on the north side of Michigan Avenue from Foster Street to 56 feet east of Hayford Street.

ADD: One Hour Parking 8:00 a.m. to 6:00 p.m. on the north side of Michigan Avenue from 121 feet west of Foster Street to Hayford Street.

ADD: No Parking At Any Time on the north side of Michigan Avenue from Foster Street to 121 feet west of Foster Street.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0301

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor, and the Committee on Public Properties and Safety have all recommended approval of changes in the parking regulations on Beal Avenue..

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the installation of a No Parking At Any Time zone on the east side of Beal Avenue from Mt. Hope Avenue to the dead end of Beal Avenue south of Gordon Street.

The following changes will be required in the City Traffic Code:

ADD: No Parking At Any Time on the east side of Beal Avenue from Mt. Hope Avenue to the dead end of Beal Avenue south of Gordon Street.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0302

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor, and the Committee on Public Properties and Safety have all recommended approval of a proposal regarding improvements to Museum Drive in conjunction with the construction of a cul-de-sac. These improvements include establishing a No Parking At Any Time zone and a No Stopping Standing Parking zone of Museum Drive, and

Whereas, included in this proposal is a recommendation that the new parking lot on the east side of Museum Drive be added to the Lansing Municipal Parking System as Lot 45. The lot will contain 21 spaces with parking spaces at a charge of \$0.30 per hour. The rate is consistent with the zonal structure used since 1983 and is the same as the meters on Michigan Avenue. Provisions for one handicapped space and outlying monthly permits in accordance with the Parking System's existing policies will also be provided in this lot, and

Whereas, the Committee on Public Properties and Safety has made revisions to the Mayor's recommendation.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the installation of No Stopping Standing Parking on the east side of Museum Drive from Michigan Avenue to, and including, the cul-de-sac; No Stopping Standing Parking on the west side of Museum Drive from Michigan Avenue to 370 feet south of Museum Drive; No Stopping Standing Parking on the west side of Museum Drive from 648 feet south of Michigan Avenue to, and including, the cul-de-sac; No Parking At Any Time on the west side of Museum Drive from 370 feet south of Michigan Avenue to 648 feet south of Michigan Avenue, and

Be It Further Resolved, the Lansing City Council hereby approves that the parking lot on the east side of Museum Drive be added to the Lansing Municipal Parking System as Lot 45 and be controlled with eight 2 hour parking meters, eight 4 hour parking meters, four permit parking spaces and one handicapped parking space.

The following changes will be required in the City Traffic Code:

ADD: No Parking At Any Time on the west side of Museum Drive from 370 feet south of Michigan Avenue to 648 feet south of Michigan Avenue.

ADD: No Stopping Standing Parking on the east side of Museum Drive from Michigan Avenue to, and including, the cul-de-sac; No Stopping Standing Parking on the west side of Museum Drive from Michigan Avenue to 370 feet south of Museum Drive; No Stopping Standing Parking on the west side of Museum Drive from 648 feet south of Michigan Avenue to, and including, the cul-de-sac.

DELETE: No Parking on both sides of Mill Street from Michigan Avenue to 50 feet south of Penn Central RR Spur.

DELETE: Two Hour Parking on the west side of Mill Street in front of 238-240 Mill Street.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0303

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor, and the Committee on Public Properties and Safety have all reviewed a request for handicapped parking regulations on Michigan Avenue in the area of the Corr Building (200 block of E. Michigan Avenue).

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the following:

1. The City recommends to the owners of the Corr Building that the rear entrance to the building be modified, whichever, comes first.

2. Due to future construction of the new Convention Center and the fact that parking is prohibited on a bridge, the request for the other two handicapped spaces is denied.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0304

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor has submitted for Council consideration and confirmation the appointment of Mr. David Osborn to the Board of Police Commissioners, and

Whereas, the members of the Committee on Public Properties and Safety have interviewed Mr. Osborn and determined him to be well qualified for the appointment.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby officially approves and confirms the appointment of David Osborn to the Board of Police Commissioners for a term to expire in June of 1989.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0305

Resolved by the City Council of the City of Lansing:

P-6-85

The Manhattan Subdivision
Final Plat

Whereas, the final plat of the Manhattan Subdivision has been submitted for approval, and

Whereas, the Planning Board has reviewed the final plat of The Manhattan and found it to be in substantial conformance with the Preliminary Plat and recommended approval subject to conditions, and

Whereas, the Physical Development Committee of City Council has reviewed the report of the Planning Board and concurs therewith.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the Final Plat of the Manhattan Subdivision subject to the following five conditions:

1. A Deed, Abstract of Title, accompanied by an attorney's opinion as to the marketability of the land, or a Certificate of Title Insurance be submitted to the City Clerk prior to the filing of the Plat and affixing of the Municipal Seal.

2. Final security be posted in the amount specified by the Public Service Department and Department of Parks and Recreation.

3. Final clearance be given by the Public Service Department.

4. All conditions of the Preliminary Plat approval be followed.

5. A statement be provided in the Proprietor's Certificate which prohibits vehicular ingress and egress to Lots 1, 4 and 6 from Aurelius Road, and

Be It Further Resolved, that the City Clerk be, and she is hereby, directed to notify the Proprietor and the Land Surveyor of this action.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0306

Resolved by the City Council of the City of Lansing:

That the Committee on Physical Development approves the appointment of Dr. David B. Smith to the Public Service Board for a term expiring June, 1989 as recommended by the Mayor.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0307

Resolved by the City Council of the City of Lansing:

That, the Committee on Physical Development approves the appointment of Robert B. Carowitz to the Historic District Commission for a term to expire June, 1986 as recommended by the Mayor.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0308

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing is engaged in an extensive program of sewage system improvements assisted by EPA grants C-262705-02 and C-262705-03, and

Whereas, various permanent and temporary easements must be obtained to facilitate and enable those improvements, and

Whereas, sufficient matching funds are appropriated and available to pay for such easements, and

Whereas, City Ordinance requires City Council approval to obtain property interests such as permanent easements.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby authorizes the City to negotiate for and obtain such permanent easements as are necessary for the above sewer system improvement project as more fully described in the attached schedule, and

Be It Further Resolved, that the City is authorized to negotiate for and obtain such temporary easements as are necessary for the project, and

Be It Finally Resolved, that the City shall comply with all applicable Federal regulations and guidelines and City and State requirements in obtaining such easements.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0309

Public Improvement II

Resolved by the City Council of the City of Lansing:

That the plans and specifications returned by the Department of Public Service in pursuance of the resolution of this Council,

Resolution Date: 5/20/85 ordered.

Property benefited: All lands fronting on Mary Avenue from S. Logan Street west 200 feet excepting all public streets and alleys and other lands deemed not benefited.

Be received, approved, and placed on file.

The Engineer's estimated expense of said improvements are as follows:

Project # & Assess. Roll	Fed/State Cont.	Intersect. & City Assess. to Cont.	Prop. Owner Cost	Total Proj.
P.S. 65104 Roll #296 C & G	\$2,538.00	\$282.00*	\$2,655.00	\$5,475.00
Storm	6,527.48	725.27**	0.00	7,252.75
St. Imp.	50,604.86	2,967.77***	0.00	53,572.63
Total	\$59,670.34	\$3,975.04	\$2,655.00	\$66,300.38

* 101-936-304-974
** 401-787-010-974.690
*** 101-936-304-974

This project was advertised and let for bid thru the Michigan Department of Transportation.

That the City Assessor be, and is directed, to make special assessment installment rolls, based upon bids to be received and other related costs of construction, and return same to the City Council.

Work to be done under this contract known as

"Mary-Logan Street intersection improvements, PS 65104 (MDOT).

I hereby certify that funds are available and encumbered for the City of Lansing's share of said project.

Charles S. Romenor
Deputy Controller

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0310

Public Improvement III

Resolved by the City Council of the City of Lansing:

That the special assessment roll for Curb and Gutter, Assessment Roll No. 296, C&G.

Property Benefited: All lands fronting on Mary Avenue from S. Logan Street west 200 feet excepting all public streets and alleys and other lands deemed not benefited.

The revised estimated expense of said improvements based upon construction bids received by the Department of Transportation.

Project # & Assess. Roll	Fed/State Cont.	Intersect. & City Assess. to Cont.	Prop. Owner Cost	Total Proj.
P.S. 65104 Roll #296 C & G	\$2,538.00	\$282.00*	\$2,655.00	\$5,475.00
Storm	6,527.48	725.27**	0.00	7,252.75
St. Imp.	50,604.86	2,967.77***	0.00	53,572.63
Total	\$59,670.34	\$3,975.04	\$2,655.00	\$66,300.38

* 101-936-304-974
** 401-787-010-974.690
*** 101-936-304-974

Returned by the City Assessor be received and placed on file, and the City Clerk be directed to publish a notice thereof by publication in a local newspaper five days in accordance with Section 28-17, of Chapter 28 of the Code of Ordinances.

Resolved further, that the City Council will meet at the Council Rooms on Monday, the 15th of July, 1985, at 7:00 p.m. for the purpose of reviewing the assessment roll.

Work to be done under this project known as the "Mary-Logan Street Intersection Improvements", PS 65104 (MDOT).

I hereby certify that funds are available and encumbered for the City of Lansing's share of said project.

Charles S. Romenor
Deputy Controller

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER BELEN—

Resolution #0311

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, July 22, 1985 at 7:00 p.m. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving the Special Land Use SLU-2-85, 1902 E. Cavanaugh

Rd. Southwest of the Cavanaugh/ Aurelius Intersection to permit sand and gravel extraction.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER BELEN—

Resolution #0312

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, July 22, 1985 at 7:00 p.m. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving the Special Land Use SLU-7-85, 3308 Maloney St. to expand an existing adult foster care facility from six to nine residents.

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinances of the City of Lansing, Michigan providing that the code of ordinances be amended by:

Revising the district maps adopted by Section 36-6 of the Code of Ordinances and to change the zoning classification for the following rezoning petitions:

a. Z-9-85 - 1902 E. Cavanaugh to be rezoned from "J" Parking District and "H" Light Industrial District to "I" Heavy Industrial District filed by Eastlund Concrete Construction.

b. Z-13-85 - 116 W. Kilborn St. to be rezoned from "C" Residential District to "D-1" Professional Office District filed by Richard Cook.

c. Z-14-85 - 2213-2223 West Jolly Road, to be rezoned from "A" Family District to "C" Family District filed by Roy Markey.

d. Z-15-85 - 1321 W. Holmes Rd. to be rezoned from "A" Residential District to "F" Commercial District filed by Charles D. Patterson.

e. Z-16-85 - 2726 N. Grand River Ave. to be rezoned from "J" Parking to "A" Residential District filed by the City of Lansing.

was introduced by Councilmember Belen read a first and second time by their titles and referred to the Committee on Physical Development.

by COUNCILMEMBER BELEN—

Resolution #0313

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, July 22, 1985 at 7:00 p.m. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving the following rezoning petitions:

a. Z-9-85 - 1902 E. Cavanaugh to be rezoned from "J" Parking District and "H" Light Industrial District to "I" Heavy Industrial District filed by Eastlund Concrete Construction.

b. Z-13-85 - 116 W. Kilborn St. to be rezoned from "C" Residential District to "D-1" Professional Office District filed by Richard Cook.

c. Z-14-85 - 2213-2223 West Jolly Road, to be rezoned from "A" Family District to "C" Family District filed by Roy Markey.

d. Z-15-85 - 1321 W. Holmes Rd. to be rezoned from "A" Residential District to "F" Commercial District filed by Charles D. Patterson.

e. Z-16-85 - 2726 N. Grand River Ave. to be rezoned from "J" Parking to "A" Residential District filed by the City of Lansing.

Adopted by the following vote:

Unanimously.

The following ordinances of the City of Lansing, Michigan providing that the code of ordinances be amended by:

Adding Section 3-4 providing for the regulation of signs upon public rights of way or properties which advertise sales and auctions.

was introduced by Councilmember Lindemann read a first and second time by its title and referred to the Committee on Public Properties and Safety.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0314

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, July 8, 1985 at 7:00 p.m. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving the Ordinance amending Chapter 3 by adding a new section 3-4 providing for the regulation of signs upon public rights of way or properties which advertise sales and auctions.

Adopted by the following vote:

Unanimously.

ORDINANCES

By COUNCILMEMBER LINDEMANN—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by:

Revising Section 31-37.2 to provide for the closing of city streets or portions thereof to non-local traffic.

And recommended that the Ordinance be passed.

By COUNCILMEMBER LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the Code of Ordinances, City of Lansing, Michigan be amended by revising Section 31-37.2 to provide for the closing of city streets or portions thereof to non-local traffic be placed on order of immediate passage.

By COUNCILMEMBER LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the Code of Ordinances, City of Lansing, Michigan be amended by revising Section 31-37.2 to provide for the closing of city streets or portions thereof to non-local traffic be now passed.

Adopted by the following vote:

Unanimously.

Ordinance #704

An Ordinance of the City of Lansing, Michigan, providing that Chapter 31 of the Code of Ordinances be amended by revising Section 31-37.2 to provide for the closing of City streets or portions thereof to non-local traffic.

The City of Lansing ordains:

Section 1. That Section 31-37.2 of Chapter 31 of the

Code of Ordinances of the City of Lansing, Michigan be amended to read as follows:

Sec. 31-37.2. Same - Vehicles Prohibited Thereon, Exceptions.

Whenever authorized signs are erected indicating that any street or part thereof is restricted to through traffic allow use by local traffic only, no person shall operate a vehicle on any such street or portion thereof unless that person or a passenger in the vehicle being operated by that person has legal business or resides in the area served by the street or portion thereof.

Section 2. All ordinances, resolutions, parts of ordinances, parts of resolutions inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days after passage unless given immediate effect by the City Council.

By Councilmember Blair—

Resolved by the City Council of the City of Lansing:

This ordinance being necessary for the immediate preservation for the public peace, health, or safety shall take effect upon its passage.

Carried.

By COUNCILMEMBERS SCHMIDT AND ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter regarding the Michigan Peace Child Project Festival to be held in Lansing on May 2, 3, 4, 1986.

Referred to the Committee on Human Services and Intergovernmental Relations.

By COUNCILMEMBER BELEN—

Resolution #0315

City of Lansing
Notice of Public Hearing
Before the City Council of the City of Lansing

Amended Tax Increment Financing Plan for the Tax Increment Finance Authority of the City of Lansing

Capitol Commons Phase II Acquisition Project

Notice is hereby given that the City Council of the City of Lansing will hold a public hearing at 7:00 p.m. in the City Council Chambers, City Hall, in the City of Lansing, Michigan, on the 5th day of August, 1985, on an Amended Tax Increment Financing Plan prepared by the Tax Increment Finance Authority of the City of Lansing for its Capitol Commons Phase II Acquisition Project (the "Project").

The Project is located within the Capitol Commons Phase II Acquisition Development Area which is described generally as:

Commencing at the intersection of the center lines of Shiawassee and Walnut Streets; thence south along the center line of Walnut Street to the south line of Section 16; thence east along the south line of Section 16 to its intersection with the east line of Section 16; thence north along the east line of Section 16 to its intersection with the center line of Shiawassee Street to the point of beginning, and

Commencing at the intersection of the center line of Kalamazoo and Butler Streets; thence south along the center line of Butler Street to its intersection with the

center line of West St. Joseph Street; thence east along the center line of West St. Joseph Street to its intersection with the center line of Walnut Street; thence north along the center line of Walnut Street to its intersection with the center line of Kalamazoo Street; thence west along the center line of Kalamazoo Street to the point of beginning.

Maps, plats, and description of the Amended Tax Increment Financing Plan and the related Development Plan, including the method of relocating families and individuals who may be displaced from the area, are available for public inspection at the Department of Planning and Municipal Development, 119 North Washington Square, City Hall Annex, Lansing, Michigan. All aspects of the proposed Amended Tax Increment Financing Plan will be open for discussion at the public hearing. The City Council of the City of Lansing shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for expression of opinion, argument on the merits, and introduction of documentary evidence pertinent to the Financing Plan. The City Council of the City of Lansing shall make and preserve a record of the public hearing, including all data presented at that time.

Published twice (the first of which must occur 20 days prior to the hearing date) and mailed to property owners of record in the Capitol Commons Phase II Acquisition Project Development Area.

Rita Bauman
City Clerk

Adopted by the following vote:

Unanimously.

REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT, MR. CLEOPHUS BOYD:

On behalf of the Mayor's office, Mr. Boyd wished Mrs. Ida Butterfield a happy 100th birthday.

Announced the July 4, 1985 parade would start at 10:00 a.m. at Ferris Park; and Fireworks would be at 9:45 p.m. Thursday night from Riverfront Park.

REMARKS BY THE CITY COUNCIL

Councilmember Blair asked for a report next week regarding raw sewerage being dumped in the Grand River this past couple of days. Also complained that the debris in River needed to be cleaned up before the Ethnic Festival at Riverfront Park on July 4, 1985.

Councilmember Worthington remarked that debris from area of the burned building in North Lansing needed to be cleaned up.

Councilmember Adado asked for catchbasin south of Maybel St. on Waverly Road (4600 Block) to be cleaned of sand and dirt.

Councilmember Schmidt requested that a split in the street on Michigan Avenue at Washington be repaired and the base of a sign west of South end of City Market be looked at as it is unsightly. Also requested Parks Security to check out Sycamore Park.

Councilmember Lindemann remarked on perpetual yard sales being conducted at 1201 Bement St. and on Leslie St.

Councilmember Benavides greeted participants in the Great American Race today at Civic Center and shared experience with other members of City Council.

Councilmember Creamer asked reason for parking

meters on Washtenaw St. in front of Linn and Owens Jewelers being bagged.

Remarked about Park Police nabbing a crime suspect in Moore's Park.

Buzz Hart, Lansing Recreation Center, S. Washington Ave., spoke about the Barricades Ordinance adopted and asked for a meeting to talk about the placement of barricades.

Eugene Lloyd spoke and thanked City Council for their contribution to the 7th annual Black Festival held recently in Riverfront Park by the A. Philip Randolph Institute. Letter of thanks submitted and read.

Gary Salor, 512 N. Clemens, spoke regarding: Audio distortion on Channel 28 of City Council Meetings; Rough road at Saginaw/Clemens Street intersection; traffic light at Grand Ave. and Washtenaw; and trees being chopped blocking paths at Scott's Woods.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:50 P.M.

RITA BAUMAN,
City Clerk

July 1, 1985

Lansing, Michigan

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, July 8, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

July 8, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmembers Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—7.

Absent: Councilmember Blair—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Schmidt.

Pledge of allegiance.

PUBLIC HEARING

July 8, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed ordinance to amend Chapter 3 by adding section 3-4 providing for the regulation of signs upon public rights of way or properties which advertise sales and auctions.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed district they had the chance of speaking at this time.

No person spoke.

Referred to the Committee on Public Properties and Safety

By Councilman Benavides—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting of the following resolution.

Carried.

Resolved by the City Council of the City of Lansing
July 8, 1985

Whereas, the City of Lansing and the Friends of the Zoo Society have prepared a Master Plan for the renovation and improvement of Potter Park Zoo, and

Whereas, the implementation of this plan requires the combined long term financing from both private and governmental sources, including grant funding, and

Whereas, the Oldsmobile Supervisors Council recently completed the raffling of a 1985 Oldsmobile Calais in an ambitious fund raising effort for the Zoo Society, and have raised over \$14,200, and

Whereas, the Oldsmobile Supervisors Council is making these funds available for use by the City and the Zoo Society for the new farm yard exhibit identified in the Master Plan, and

Whereas, the gift, in cooperation with the Zoo Society is eligible to serve as the "local match" in an effort to attract additional federal funds for the project, with an application for such grant funds now under consideration by the Michigan Department of Natural Resources,

Now Therefore Be It Resolved, the City of Lansing extends its sincere appreciation to the Oldsmobile Supervisors Council for their outstanding efforts on behalf of Potter Park Zoo and the Zoo Society, and for the tremendous example of private support and leadership they have shown.

Council President Creamer
Council Vice-President Benavides
Councilmember Adado
Councilmember Belen
Councilmember Blair
Councilmember Lindemann
Councilmember Schmidt
Councilmember Worthington
City Clerk Rita Bauman

Congressman Howard Wolpe spoke in regard to Federal Budget appropriations for certain programs that are needed and tax reform issue

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Dick Friz, 920 S. Washington #9M, representing the Neighborhood Watch Program on South Washington Avenue spoke in regard to the resolution on street barricades and its use to stop prostitution in their area.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for Licenses:

MECHANICAL AMUSEMENT DEVICES: Silvio's Lounge, Mac's Saloon, Torres Taco, Ed's Bar, Jimmie G's Riverfront Saloon, Pinball Pete's, Ground Round.

Referred to the Committee on General Services

2. Claims filed by:

a. Kenneth R. Stuter, Gregory, MI. for paint spray damage to his mini-van while parked on roof of North Capital Ramp.

b. Lorrie A. Dingham, Arlington, VA., for automobile damaged in accident with Lansing Police vehicle.

c. Frederic Lee McLaughlin, 727 N. Capitol Avenue, for removal of special assessment for vacant lot on Everett Lane.

Referred to the Mayor and City Attorney

Petition filed for rezoning Z-21-85 - 5300 to 5316 S. Pennsylvania Ave. described as, the East 150 ft. of Lot 4 of the Plat of Battenfield Subdivision No. 1, being part of the east 100 acres of the northwest fractional quarter of Section 3, T3N, R2W in said Township of Delhi, Ingham County, Michigan, to be rezoned from "A" Residential District to "F" Commercial District filed by Chris and Betty Baryames.

Referred to the Mayor and Planning Board.

Michigan Municipal League submits notices re:

a. League Annual Convention to be held September 11-13, 1985 in Flint, Michigan.

b. National League of Cities 1985 Congress of Cities and Exposition on December 7-11, 1985 in Seattle, Washington.

Received and placed on file.

Michigan Public Service Commission submits notice of public hearing in the matter of the application of Michigan Bell Telephone Co. for authority to issue its Tariff M.P.S.C. No. 12 as it pertains to Pole Attachment and Occupancy Accommodations.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA:

Mayor comments on letters 5a (Appointment to Human Relations Board - Susan L. Nees); 5b (CATA Board Reappointment - Lucile E. Belen); 5d (Continuance of Employment and Physician's Recommendation for James A. Holcomb, Emergency Services); and 5k (Lease Agreement - Jupiter Site Parking Facility).

REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

Mechanical Amusement Device: Silvio's Lounge, Mac's Saloon, Torres Taco, Ed's Bar, Jimmie G's Riverfront Saloon, Pinball Pete's, Ground Round.

Secondhand Dealer: Economy Furniture.

Signed,

Sidney Worthington
Charles Creamer
Alfreda Schmidt
Committee on General Services

By COUNCILMEMBER WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

June 28, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Hugh Paul Hornsby in the amount of \$159.99.

Dear President Creamer
and Members of City Council:

A claim was filed with the City by Richard Shuler on behalf of Hugh Paul Hornsby in the amount of \$159.99. Mr. Shuler alleges that Mr. Hornsby's radar detector was taken from him by the Lansing Police Department and tagged as evidence. The District Court action resulting from the seizure of Mr. Hornsby's

radar detector was subsequently dismissed with prejudice after a ruling by the Michigan Supreme Court stating that these devices were legal. Instead of returning the detector to Mr. Hornsby, the radar detector was destroyed by the Lansing Police Department.

While the seizure of evidence for a trial is permissible, title to property, other than illegal contraband, remains with its owner. When the property is no longer required as evidence, a duty exists to return the property to its owner. In this case, the City destroyed the property instead.

Although the City is immune from liability for negligent acts in the course of governmental functions such as police protection, the destruction of seized property is an intentional act to which that immunity would not apply.

For the foregoing reasons it is the recommendation of this office that the claim in the amount of \$159.99 be paid.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of \$159.99 payable to Hugh Paul Hornsby.

Carried.

June 28, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Helen Baldwin in the amount of \$85.00

Dear President Creamer
and Members of City Council:

Helen Baldwin, of 461 Crooked Lake Drive, Lake, Michigan, filed this claim for damages to her eyeglasses in the amount of \$85.00. Mrs. Baldwin claims she fell on a City sidewalk on December 17, 1984, and incurred physical injuries which were covered by her insurance, and scratched eyeglasses for which she has no insurance.

The City Engineer investigated Mrs. Baldwin's claim and determined she fell on the north side of Kalamazoo Street, just west of Capitol Avenue, where a "step" in the sidewalk was previously repaired. Portions of the repair work have broken away and currently expose a "step" between one and one-half and two inches in height. It is not the City's practice to repair "steps" in sidewalks of less than two inches.

According to state statute, sidewalks are governed by provisions for defective highway liability. MCLA 691.1402 and cases construing that statute, as well as Section 38-29 of the City of Lansing Code of Ordinances, place a duty upon the City to maintain sidewalks in reasonable repair. There is a long line of cases, however, which hold that a municipality is not responsible to maintain a perfectly smooth walkway. In light of this rule, a defect in the sidewalk that does not exceed two inches in height has not been interpreted to subject a city to liability for damages resulting therefrom. Rule v. Bay City, 30 Mich App 396 (1971), affirmed 387 Mich 281.

Thus under the facts presented by the claimant and the City Engineer's investigation, it is the opinion of this office that this claim be denied.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

DATE: 7/3/85

TO: City Council President Creamer and Councilmembers

FROM: James W. Dowsett, Finance Director

SUBJECT: Term Expiration - Income Tax Board of Review

Section 91(1) of the Uniform City Income Tax Ordinance states as follows:

"The governing body of the City shall appoint an income tax board of review consisting of 3 residents of the City who are not City officials or City employees.

The term of Mr. Donald Pickard, as a member of the Income Tax Board of Review, expired on June 30, 1985. Mr. Pickard has indicated that he is willing to continue to serve as a member of the Income Tax Board of Review.

Please consider this communication a request for City Council approval to extend the term of Mr. Pickard an additional three years to June 30, 1988.

Thank you for your attention to this matter.

James W. Dowsett
Finance Director

By COMMITTEE OF THE WHOLE—

Resolution #0316

Resolved by the City Council of the City of Lansing:

Whereas, the Committee of the Whole has considered the re-appointment of Mr. Donald Pickard to the Income Tax Board of Review and found him to be qualified to serve.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves and confirms the re-appointment of Mr. Donald Pickard to the Income Tax Board of Review for a three year term ending June 30, 1988.

Adopted by the following vote:

Unanimously.

July 5, 1985

President Charles Creamer and
Members of the Lansing City Council

Dear Councilmembers:

In accordance with Section 7-107 of the Lansing City Charter, I am forwarding copies of the executive transfers that have been placed on file in the City Clerk's office by the Budget Director.

Most sincerely,

Rita Bauman
City Clerk

Referred to the Committee on Ways and Means.

June 28, 1985

President Creamer and Members, Lansing City Council

Dear Councilmembers:

A situation was recently brought to the attention of

the Lansing Board of Police Commissioners by a concerned citizen of this City, and after hearing it the Board unanimously approved a motion that this be brought to your attention.

There was an incident of a "noise" call on September 4, 1978. Two officers responded. A subject sprayed the officers in the face with a poisonous bug spray and then pushed one officer through a plate glass window. This officer, a female, nearly bled to death, and had it not been for her fellow officer stemming the flow of blood, and a back-up unit arriving to rush her to the hospital, she would have died. As a result, she has had to leave the Lansing Police Department as her right hand is permanently damaged.

The cause of concern on the part of this citizen is the lack of support from the system toward this officer. The accused subject was arraigned, bonded out on a felony assault charge and immediately left the State. He returned seven years later, and on February 8, 1985, was arrested. He appeared in the District Court of Judge Claude Thomas, pled guilty, and was sentenced to \$30.00 or three days for leaving the State. The Judge took the assault charge under advisement until May 8, 1985. In the meantime, during March, this citizen called the Prosecutor's Office to find that the felony charges had been reduced to misdemeanors. In addition, this group wrote to the Prosecutor's Office and a copy of that letter is attached.

On May 7, 1985, the citizen called and found that the subject was to appear before Judge Thomas the next day as scheduled. A group appeared at his courtroom and after sitting through all his cases found that he had disqualified himself. Subsequently it was learned that District Court Judge John Davis dismissed all charges on June 10, 1985.

These citizens, twice, had requested they be notified of the trial date. Neither time were they notified. Further, the officers involved, as well as the Lansing Police Department, were not notified of the trial date.

The Board of Police Commissioners is appalled at this behavior and total lack of support for police officers.

We hope that by bringing this to your attention, some action will be taken so that it will not happen again.

Sincerely,

John W. McManus
Chair of the Board

Referred to the Committee on Public Properties and Safety.

July 3, 1985

City Council President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and Councilmembers:

I herewith submit to you for your consideration and confirmation the appointment of Mrs. Susan L. Nees to the Human Relations Board. The term will expire in June, 1989.

Mrs. Nees has been a Lansing resident for 18 years and resides at 3323 Aragon. She is an active member of several organizations and is the Human Resource Manager of General Motors Corporation.

I trust you will give careful consideration to the appointment of Mrs. Susan L. Nees to this important Board.

Best personal regards,

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee on Human Services and Intergovernmental Relations.

June 28, 1985

City Council President Charles Creamer and Lansing City Councilmembers

Dear President Creamer and Councilmembers:

I herewith submit to you for your consideration and confirmation the appointment of Ms. Lucile Belen to the Capital Area Transportation Authority (CATA) Board. The term will expire in September, 1989.

I trust you will give careful consideration to this appointment.

Best personal regards,

Sincerely,
Terry J. McKane
Mayor

By COUNCILMEMBER ADADO—

That Councilmember Belen be excused from voting on this issue.

Carried.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and reappoint Ms. Lucile Belen to the Capital Area Transportation Authority Board.

Carried.

DATE: 7/3/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Jean L. Tubbs, Human Resources Committee.

RE: Co-sponsorship of Adolescent Pregnancy Conference - Thank you.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

DATE: 7/3/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from James A. Holcomb, Emergency Services.

RE: Continuance of Employment and Physician's Recommendation.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

DATE: 6/28/85

TO: Council President Charles Creamer and Council-

members

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Justice in Mental Health Organization, Inc.

RE: Thank you for encouragement and support.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

DATE: 7/3/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Finance Director.

RE: Transfer of funds.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Ways and Means.

DATE: 7/3/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Dev. Dept.

RE: Request for Public Hearing:

- a. 604 S. Magnolia Ave., Lansing, MI, Lot 71, Lansing, Addition Company Sub., Rec L 5 P 20.
- b. 2000 W. Saginaw, Lansing, MI, Lots 180 and 181, West Lawn Subdivision.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and the public hearings be set for August 19, 1985 for property at 604 S. Magnolia Ave. and 2000 W. Saginaw.

Carried.

DATE: 7/3/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Dev. Dept.

RE: Grass Cutting Assessment for L-27 December 1985 Tax Roll (L-27) \$2,930.00.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That the grass cutting assessment in the amount of \$2,930.00 be placed on the L-27 December 1985 Tax Roll.

Carried.

DATE: 7/3/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Finance Department.

RE: Financial Security - Provincial House Subdivision.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and release \$4,105.00 in financial security for the Provincial House Subdivision Plat.

Carried.

DATE: 7/3/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Finance Department.

RE: Financial Security - Delaware Park #4.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and release \$44,240.00 in financial security for the Delaware Park #4 Subdivision.

Carried.

DATE: 7/3/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Finance Department.

RE: Financial Security - Kabe Acres.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and release \$1,000.00 in financial security for the Kabe Acres Subdivision.

Carried.

July 5, 1985

Council President Charles Creamer and
Lansing City Councilmembers

Dear Council President Creamer and City Councilmembers:

The Oldsmobile Supervisors Council will be presenting a gift to Potter Park Zoo at the July 8, 1985 Council meeting. This contribution, to be made to the City and Zoo Society, is a result of their efforts in the recent raffle of a 1985 Oldsmobile Calais. The gift is in the amount of \$14,206. The Oldsmobile Supervisors Council would like to see the gift be used to create the new farm yard, pony ride, and contact area as identified in the Master Plan.

The City of Lansing is a candidate for Land and Water Conservation funding for zoo improvements. Under this program, the federal government will finance fifty percent of the total cost of the project. The other fifty percent must be a local appropriation that may include gifts such as those by the Oldsmobile Supervisors Council or the Zoo Society. Our eligibility to prepare a final application for grant funding of this project will be determined by the Michigan D.N.R. some time in September. A preliminary application has been submitted for their study. City match is appropriated in the Potter Park and Zoo improvement accounts.

I would like to congratulate the Oldsmobile Supervisors Council on their outstanding effort. The supervisors promote the personal development of their members through activities and projects that are beneficial to the community. This project took a great deal of time and effort as well as personal commitment. The Oldsmobile Supervisors Council deserves the appreciation and recognition of the City of Lansing for their outstanding efforts.

Sincerely,

Terry J. McKane
Mayor

Received and placed on file.

July 5, 1985

Council President Creamer and Lansing
City Councilmembers

RE: Lease Agreement - Jupiter Site Parking Facility.

Dear President Creamer and City Councilmembers:

Enclosed is the proposed lease agreement between South Washington, Ltd., and the City of Lansing for development of the Jupiter Site Parking Facility. This preliminary document is being submitted at this time for your review. Concurrently it is under review by the Finance, Public Service, and Law Departments.

The highlights of the lease include:

1. Development of a 10 level parking garage which contains approximately 300 spaces.
2. Proposed development costs of \$3,718,000.
3. Annual lease costs to the City of \$452,755 over a 25 year period.
4. Operations and maintenance costs to be the responsibility of the City (in addition to the annual debt service costs).
5. Optional renewal for an additional 25 years.

The next step in the review process is the preparation of a financial feasibility analysis for the project by an independent parking consultant. Staff has indicated this study will cost between \$7,500 and \$10,000 and can be completed in 30-45 days. A final recommendation from the administration regarding the proposed project will be forthcoming upon completion of the study.

If you concur that the City should continue with this project, the funds must be appropriated for the study. I am directing the staff to be available to review this project at your convenience.

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety and the Committee on Ways and Means.

By COMMITTEE OF THE WHOLE—

Resolution #0317

Resolved by the City Council of the City of Lansing:

Memorial Resolution of Tribute
to Clare D. Loudenslager

Whereas, Clare D. Loudenslager died last week at the age of 64 at Houghton Lake, and

Whereas, his significant contribution to this community as Executive Director of the Capital Area Transportation Authority (CATA) was applauded just one short year ago on the occasion of his retirement, and

Whereas, Clare literally turned a faltering municipal bus company completely around in the eleven years he served as director, and

Whereas, CATA, under Clare D. Loudenslager's direction, flourished with new equipment, new programs, and most important, a fierce commitment to serving the ridership as never before, and

Whereas, Clare was known for his tough managerial style, he knew how to get things done and could be counted on to get results, and

Whereas, Clare's most notable qualities included his unconditional loyalty to those who were close to him in the face of any and all odds.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby officially salutes the life and achievements of Clare D. Loudenslager, and

Be It Further Resolved, on behalf of all the citizens of Lansing we extend our heartfelt condolences to Clare's wife Ginger, their family and the many close friends who are sure to feel the loss for many years to come.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBERS LINDEMANN AND BELEN—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter from David Zarka, President of the Eagle Restaurant, in regard to reopening the Washington Mall.

Received and placed on file.

Request from Michigan Tobacco and Candy Distributors and Vendors Association, Inc. to be recognized as non-profit organization.

Referred to the Committee on General Services.

By COUNCILMEMBER LINDEMANN—

Resolution #0318

Resolved by the City Council of the City of Lansing:

Whereas, the solicitation of acts of prostitution is contrary to the law, and

Whereas, the solicitation of such acts in residential and commercial areas of the City is harmful to the public safety and welfare, and

Whereas, engaging in the solicitation of such acts is aided and abetted by the ability of motor vehicle traffic to pass through areas in search of such solicitations, and

Whereas, the area bordered by the Red Cedar River on the East, by South Washington Avenue on the West, by the Grand River on the North, and by East South Street on the South has and is being frequented by persons soliciting and seeking such acts, and

Whereas, closing the street area to all but local traffic will discourage such solicitations and those seeking acts of prostitution.

Now, Therefore Be It Resolved, pursuant to Section 31-37.1 of the Lansing Code of Ordinances, that between the hours of 8:00 p.m. and 6:00 a.m. the following streets shall be closed to all but local traffic:

1. East South Street between South Washington Avenue and the Red Cedar River.

2. South Elm Street between South Washington Avenue and the Red Cedar River.

3. Hazel Street between South Washington Avenue and the Red Cedar River.

4. Grand Avenue South between East South Street and Spring Street.

5. Platt Street between East South Street and Spring Street.

6. Clear Street.

Be It Further Resolved, that the City Administration is requested to install appropriate signs and barriers to implement this resolution, and

Be It Finally Resolved, this resolution shall expire in ninety (90) days.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER LINDEMANN—

Resolution #0319

Resolved by the City Council of the City of Lansing:

Whereas, the solicitation of acts of prostitution is contrary to the law, and

Whereas, the solicitation of such acts in residential and commercial areas of the City is harmful to the public safety and welfare, and

Whereas, engaging in the solicitation of such acts is aided and abetted by the ability of motor vehicle traffic to pass through areas in search of such solicitations, and

Whereas, Shiawasse Street East from North Cedar Street to Pennsylvania Ave. has been frequented by prostitutes and those seeking solicitations from prostitutes, and

Whereas, closing the streets to all but local traffic will discourage such solicitations and those seeking acts of prostitution.

Now, Therefore Be It Resolved, that between the

hours of 8:00 p.m. and 6:00 a.m. East Shiawassee Street, between North Cedar Street and Pennsylvania Ave. shall be open to local traffic only, and

Be It Further Resolved, that the City Administration is requested to install appropriate signs and barriers to implement this resolution, and

Be It Finally Resolved, this resolution shall expire in ninety (90) days.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER ADADO—

Resolved by the City Council of the City of Lansing:

That Councilmember Blair be excused from the session.

Carried.

By COMMITTEE OF THE WHOLE—

Resolution #0320

Resolved by the City Council of the City of Lansing:

Whereas, the people of the City of Lansing and their representatives on the City Council believe in the rights of workers to organize and bargain collectively for a fair wage and reasonable conditions in the workplace, and

Whereas, the United Farm Workers of America, the AFL-CIO, and the Farm Workers of California under the able leadership of Cesar Chavez have struggled long and hard to right the grievous wrongs perpetrated by the dysfunctional California Agricultural Labor Relations Board and an Administration which is biased toward "grower interests", and

Whereas, Cesar Chavez will be in Lansing this week generating support for his continuing cause of justice and equity for farmworkers in this country, and

Whereas, we are honored to have Cesar Chavez as a guest in our community and want him to know of our support of his humanitarian efforts.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby officially welcomes Cesar Chavez to this community and salutes his significant work on behalf of the farm workers.

Adopted by the following vote:

Unanimously.

REMARKS BY THE MAYOR

Major Street Repair.

Local Street Repair.

Sewer work update.

Pumping Station update.

Wastewater Plant report.

Hotel financing and increase in premium rates for insurance - report to be given at Committee of the Whole meeting.

North Grand Parking Ramp extension.

July 4th Fireworks discussed.

REMARKS BY CITY COUNCIL

Councilmember Benavides spoke regarding his evaluation of the Ethnic Festival; a sign being down at Pleasant Grove and Mt. Hope, and Wentworth Park needing clean-up.

Councilmember Adado spoke regarding the recently adopted ordinance for Retirement and changes still needing to be made. Also questioned the Lindberg sewer project starting date.

Councilmember Worthington spoke regarding selling on street corners by individuals.

Councilmember Belen spoke regarding the Ethnic Festival not being advertised enough and people having orange bags out to curb too early for pick-up.

Councilmember Creamer remarked about the nice Historic District in Grand Rapids, Michigan.

Steve Zamiara of Lansing Liederkrantz Club spoke regarding the July 4th weekend Ethnic Festival and the problems encountered with having to close too early each night, inadequate restrooms the first day, and receipts being down for the whole event.

Fred A. Kuebler, 1111 David St., spoke regarding taxes being increased on his property and junk accumulating in the alleys of the north end of Lansing.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:25 P.M.

RITA BAUMAN,
City Clerk

July 8, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

315

Proceedings, July 15, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

July 15, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Benavides.

Pledge of allegiance.

By COUNCILMEMBER SCHMIDT—

That the Council Proceedings of June 10 and June 17, 1985 be approved.

Carried.

Councilmember Adado remarked about the trophy won last weekend in the Borderline Funfest between Police and Fire Departments of the City of Lansing and East Lansing.

PUBLIC HEARING

July 15, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed make-safe or demolish property located at 414 Curry Lane.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed make-safe or demolish they had the chance of speaking at this time.

Lowell Grounds and Dan Parks, owners of the property, spoke.

Referred to the Committee on General Services.

Don Peck, volunteer of Boy Scouts, presented an award and trophy to Mayor McKane for his help in the Lansing Area Drive for Boy Scouts and their 75th Anniversary. Howard McCaffery, Public Service Director, was presented a paperweight in honor of his help and support of the drive. Dave Boucher presented both with certificates.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Mary Haney, a member of North Lansing Association, spoke regarding Letter #5 - regarding parking situation at Motor Wheel Corp.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

Automobile Wrecker: P.J.'s Towing.
Beer and Wine Distributor: Spartan Distributors, Inc.

Referred to the Committee on General Services.

Claims filed by:

a. Lois and Barry Hill, 3518 Ginger Snap Lane, for paint splattered on automobile while parked at the North Capitol Ramp.

b. Patricia Mask, 2400 Beacon Hill Drive, for damages to automobile from exit gate arm at the South Capitol Avenue Parking Ramp.

c. James H. Amos, 3232 Bardaville Dr. #13, for reimbursement of towing charges.

d. Hartland Insurance Agency, Inc. for insurance deductible amount for their client, Kristine Koch, 920 S. Washington Ave., for automobile damaged at City street repair site.

Referred to the Mayor and City Attorney.

Petition filed by residents to construct storm sewer on Tressa Drive from Jolly Road to the north end of the street.

Referred to the Mayor.

Letter of complaint from Alyce Jones, 4117 Lowcroft, concerning Continental Cablevision Co.

Referred to the Mayor.

Letter from Mary Haney regarding parking situation at Motor Wheel Corp.

Referred to the Mayor.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA:

Committee Report #2b (Lease agreement for Jupiter Site Parking Facility - asking for Mayor's recommendation regarding the spending of \$7,500.00 to do study.

Mayor's letters 2a (Upgrading of public meeting rooms - City Hall) and 2b (Motorcycle Racing Application.)

REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

Automobile Wrecker: P.J.'s Towing.
Beer and Wine Distributor: Spartan Distributing Co.

Signed,

Sidney Worthington
Alfreda Schmidt
Charles Creamer
Committee on General Services

By COUNCILMEMBER WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

To whom was referred the request from the Tri-County Office on Aging for City co-sponsorship of their annual fundraising event September 6, 1985,

Reports as follows: The Committee on Public Properties and Safety herewith recommends co-sponsorship of this event at the Civic Center including the parking facilities with the money to be taken from the City Special Expenses Account.

Signed,

James Blair
Louis Adado
Committee on Public Properties and Safety

By COUNCILMEMBER LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORT OF COMMITTEE

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

To whom was referred the agreement for the Jupiter Parking Facility,

Reports as follows: The Committee herewith requests a firm recommendation from the Administration regarding the expenditure of between \$7,500 and \$10,000.00 for a financial feasibility analysis by an independent parking consultant.

Signed,

Patrick Lindemann
James Blair
Louis Adado
Committee on Public Properties and Safety.

By COUNCILMEMBER LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF COMMITTEES

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

To whom was referred the Ordinance amending Chapter 3 by adding Section 3-4 providing for the regulation of signs upon public rights of way or properties which advertise sales and auctions.

Signed,

James Blair
Louis Adado
Committee on Public Properties and Safety

By COUNCILMEMBER LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

July 11, 1985

President Charles Creamer
and Members of City Council

RE: Claim of J. B. Burns in the amount of \$65.00.

Dear President Creamer
and Members of City Council:

On May 1, 1985 J. B. Burns submitted a claim in the amount of \$65.00 for damage to the door of his home located at 817 Loa Street. Claimant states that some time around March 25, 1984, the door to his home was jammed and kicked open by Lansing Police Department.

An investigation by the Chief of Police Richard A. Gleason determined the following facts: On the 7th day of March, 1985 at approximately 8:05 p.m., several Lansing Police Officers operating in conjunction with the Tri-County Metro Narcotics Squad executed a valid search warrant on the premises of 817 Loa Street, Lansing. The officers found no one at home and gained entrance by physically forcing the door open. No more force than was necessary was used to gain access.

According to statutory law, municipalities are immune from tort liability in cases where governments are engaged in the exercise or discharge of government functions, MCLA 691.1407; MSA 3.996(107). Clearly, the execution of a valid search warrant, leading to the subsequent seizure of illicit drugs, constitutes such a governmental function.

Therefore, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

July 11, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Rose Stackable in the amount of \$242.00.

Dear President Creamer
and Members of City Council:

Ms. Rose Stackable, 728 Samantha, Lansing, has

submitted this claim for payment of charges incurred as a result of ambulance transportation by Lansing Mercy Ambulance Service, Inc. on January 18, 1985. Ms. Stackable claims, and this office confirmed, that on January 18, 1985, a medical emergency existed at 728 Samantha and 911 was dialed requesting an ambulance. All medical units were out on call so an ambulance was dispatched from Lansing Mercy Ambulance Service.

It being the policy of the City of Lansing to pay for ambulance service under the above cited circumstances, it is the recommendation of this office that this claim be paid.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of \$242.00 payable to Lansing Mercy Ambulance Service, Inc.

Carried.

July 11, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Robert Denslow in the amount of \$401.00.

Dear President Creamer
and Members of City Council:

On April 8, 1985, claimant submitted a claim for damage to his vehicle caused by a collision with a Lansing Housing Commission vehicle. The Lansing Housing Commission vehicles are insured separate from other City-owned vehicles through Firemen's Fund Insurance Company located at 5075 Cascade Road, Grand Rapids, Michigan 49506. Furthermore, liabilities of the Housing Commission are not the responsibility of the City of Lansing (MCLA 125.663; MSA 5.3023.)

Therefore, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied and this be sent to the Housing Commission for proper action.

Carried.

July 15, 1985

President Charles Creamer
and Members of City Council

RE: Police Wages and Hour Act Claim.

Dear President Creamer
and Members of City Council:

As you are aware, some time ago approximately 155 Lansing Police officers and ex-police officers filed claims with the Department of Labor alleging that the City violated the State law by giving them compensatory time off for overtime worked instead of having paid them time and one-half. A subsequent audit by the State's Department of Labor resulted in a finding that just for the two years audited, the City owed an amount

in excess of \$200,000. The City has denied any liability for the claim.

Subsequently, the police officers involved have retained private legal counsel and entered into negotiations with the City regarding this claim. After substantial negotiations in this matter, a tentative settlement has been reached in the amount of \$237,250.

This tentative settlement is based upon the fact that the legal issues involved in this matter are uncertain, the fact that ultimate litigation in this matter would entail considerable expense to the City and finally because of the fact that an amicable settlement of this matter is in the best interest of both the City and the police officers involved. It should further be pointed out that this amount would constitute total settlement for all wage claims filed by the police officers in regard to this matter with the Michigan Department of Labor.

Thank you for your attention to this matter.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be settled as set forth above.

Carried.

July 11, 1985

President Charles Creamer
and Members of City Council

Dear President Creamer
and Members of City Council:

Recently you asked me for a recommendation regarding the upgrading of public meeting rooms in City Hall.

After reviewing the attached staff materials, I make the following recommendations:

- I recommend that staff recommendations be followed regarding the Police Department conference room. As the attached information indicates, this will cost \$4,000 - \$4,500.

- I recommend no improvements be made in my office conference room at this time. I agree with staff that these areas need improvement. However, the current furniture is functional. I would prefer to wait until the City is in a stronger financial position before making changes.

- In a spirit of Mayor-Council cooperation, I make no recommendation regarding the Council conference room. You use this area on a daily basis and are very familiar with it. If you judge that it should be upgraded, I will support your request as I have supported requests to upgrade Council Chambers.

- At this time, I do not recommend changes in other areas. However, I have asked staff to continue to monitor our public areas closely. It is possible that I may make additional recommendations as time passes.

Sincerely,

Terry J. McKane
Mayor

Referred to Committee on Ways and Means.

DATE: 7/5/85

TO: Council President Charles Creamer and City Councilmembers.

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Public Service Director.

RE: Motorcycle Racing Application.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to Committee on General Services.

RESOLUTIONS

By COMMITTEE ON GENERAL SERVICES—

Resolution #0321

Resolved by the City Council of the City of Lansing:

Whereas, the Michigan Tobacco and Candy Distributors and Vendors Association, Inc. has requested recognition by the City Council as a local non-profit organization to qualify for licensing for a fundraiser by the Bureau of the State Lottery.

Now, Therefore Be It Resolved, the Lansing City Council hereby recognizes the Michigan Tobacco and Candy Distributors and Vendors Association, Inc. as a local non-profit organization.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0322

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor has submitted for Council consideration and confirmation the appointment of Larry L. Meyer to the Waterfront Development Board, and

Whereas, the Committee has reviewed Mr. Meyer's qualifications and has determined him to be an excellent choice for this appointment.

Now, Therefore Be It Resolved, the Lansing City Council hereby officially approves and confirms the appointment of Larry L. Meyer to the Waterfront Development Board for a term to expire in June of 1988.

Adopted by the following vote:

Unanimously.

Resolution #0323

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division Staff, the Traffic Board, the Mayor, and the Committee on Public Properties and Safety have all recommended approval of a citizen request for changes in the parking regulations on Just-A-Mere Avenue.

Now, Therefore Be It Resolved, the Lansing City Council hereby approves the installation of a No Parking At Any Time on the north side of Just-A-Mere Avenue from Cedar Street to the west end of Just-A-Mere; on the south side of Just-A-Mere Ave. from Cedar St. to 396 feet west of Cedar; and on the south side of Just-A-Mere Avenue from Georgia Avenue to the west end of Just-A-Mere Avenue.

The following changes will be required in the City Traffic Code:

ADD: No Parking At Any Time on the north side of Just-A-Mere Avenue from Cedar Street to the west end of Just-A-Mere Avenue.

ADD: No Parking At Any Time on the south side of Just-A-Mere Ave. from Cedar St. to 396 feet west of Cedar Street.

ADD: No Parking At Any Time on the south side of Just-A-Mere Avenue from Georgia Avenue to the west end of Just-A-Mere Avenue.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0324

Corrected Resolution, ACT-46-84, Coulson Court, Vacation of Excess Right-of-Way.

Resolved by the City Council of the City of Lansing:

Whereas, on December 10, 1984, City Council passed a resolution vacating excess portions of Coulson Court right-of-way, and

Whereas, the proper legal description was in error and must be corrected prior to finalizing the vacation proceeding, and

Whereas, the proper legal description of the parcels to be vacated are as follows:

Lot 10: Parcel A.

Beginning at a point 30' north of the southeast corner of Lot 10, Laylin Sub.; thence 30' north to the northeast corner of Lot 10; thence east 3.97'; thence southwesterly to the point of beginning, containing approximately 59.61 sq. ft. or 0.0014 acres.

Lot 11: Parcel A-2.

Beginning at the southeast corner of Lot 11, Laylin Sub.; thence north 60'; thence east 11.92'; thence southwesterly to a point 3.97' east of the platted street right of way line; thence west 3.97' to the point of beginning, containing approximately 476.88 sq. ft. or 0.0109 acres.

Lot 12: Parcel A-3.

Beginning at the southeast corner of Lot 12 of Laylin Sub.; thence north 60' to the northeast corner of Lot 12, on the south plat line of Lancel Village South No. 3; thence east 19.87'; thence southwesterly to a point 11.922' east of the platted street right of way line; thence west 11.92' to the point of beginning, containing approximately 953.76 sq. ft. or 0.0219 acres.

Lot 13: Parcel A-61.

Beginning at the southwest corner of Lot 13, Laylin Sub.; thence west 25.50'; thence N 7° 32' 14" E, plus or minus 112.91' to the intersection of a convex curve to the right which has a radius of 60'. (Center of said radius located 60' south of the northwest corner of Lot 13 on the east line of Coulson Ct. extended); thence southeasterly along the arc of the curve plus or minus 117.49' to a point of tangency of a line bearing S 42° 1' 57" W; thence southwesterly plus or minus 20.3' along said tangent line to the point of beginning, containing an area of approximately 4012.61 sq. ft. or 0.097 acres.

Lot 14: Parcel A-52.

Beginning at a point 30' north of the southwest corner of Lot 14, Laylin Sub.; thence N 7° 32' 14" E, 35.31' to the intersection of the north line of Lot 14; thence east 25.50'; thence S 42° 1' 57" W, 47.25' to the point of beginning, containing an area of approximately 0.011 acres.

and the proper legal description of the parcel to be acquired is as follows:

Lot 13: Parcel A-4.

Beginning at the northwest corner of Lot 13 of Laylin Sub.; thence commencing east 19.87'; thence southwesterly 3.26', to the intersection of the arc of a concave curve to the right whose radius is 60'; thence westerly along the arc of the curve 19.19' to the point of

beginning. (Area of the described parcel is approximately 20.40 sq. ft.).

Now, Therefore Be It Resolved, the Lansing City Council hereby rescinds its resolution dated December 10, 1984 concerning Coulson Ct. excess Right-of-Way vacation, and

Be It Further Resolved, that the Council adopt a resolution to vacate certain parcels with the above corrected legal descriptions (A, A-2, A-3, A-61, A-52) and to acquire Parcel A-4 above for the purpose of providing the proper alignment of Coulson Ct. between Laylin and Lancen Village South #3 Subdivisions.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolution #0325

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Industrial Development District IPR-9-83-B, at property commonly known as 2100 South Washington Avenue, and

Whereas, the Quality Dairy Company has applied for an Industrial Facilities Exemption Certificate for rehabilitation of the facility and replacement equipment to the facility at 2100 South Washington Avenue, and

Whereas, it is necessary to hold a public hearing prior to this Council's taking action on Quality Dairy's application for an Industrial Facilities Exemption Certificate.

Now, Therefore Be It Resolved, the Lansing City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate, and

Be It Further Resolved, that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Industrial Development District, IPR-9-83-B, and

Be It Finally Resolved, that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, July 29, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolution #0326

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Industrial Plant Rehabilitation District IPR-4-85, proposed by the Neogen Corporation for 620 Lesher Place (formerly Oak Park School) and more particularly described as:

Lot 8 and Part of Lots 4, 5, 6, 7, 9, and 10; commencing at the northwest corner of Lot 8, thence north 29.5°, northeasterly along south line of East Saginaw St. 170' (+/-), south 128' (+/-), west 20', north 83°, west 148.5' to point of beginning; Block 1 Assessors Plat number 7.

Now, Therefore Be It Resolved, the Lansing City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District, and

Be It Further Resolved, that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, July 29, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolution #0327

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on May 28, 1985, this Council was petitioned to establish a Lansing Commercial Redevelopment District CRD-7-85, pursuant to Public Act 255 of 1978, and

Whereas, due notice has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 1st day of July, 1985, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is located at 6272 S. Logan Street, Lansing Michigan, more particularly described as:

Commencing at the intersection of northwesterly right of way line of S. Logan St. and northerly line of ramp of Bus I-96; thence S 89° 24' 10" W 32.41' along northerly line of ramp B to E 1/4 line; thence N 01° 09' 50" E 592' along 1/4 line; thence S 49° 28' 52" E 102.15'; thence southeasterly 164.73' on 612.96' radius curve to lt. chord bearing S 37° 59' 59" E 164.24'; thence S 45° 41' 56" E 162.6' to northwesterly line of right of way of S. Logan St.; thence S 44° 19' 43" W 396.46' along right of way line to beginning. Section 7, T3N, R2W, and

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for commercial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity.

Now, Therefore Be It Resolved, the Lansing City Council hereby establishes a Lansing Commercial Redevelopment District CRD-7-85 on the above described property, and

Be It Further Resolved, the City Council is considering the enactment of a revised policy for the issuance of commercial tax abatement certificates. It is understood that the creation of this district and the issuance of this certificate, when applied for, will be approved utilizing the new policy if that policy has been approved by August 1, 1985.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON HUMAN SERVICES AND INTERGOVERNMENTAL RELATIONS AND COMMITTEE ON ECONOMIC DEVELOPMENT—

Resolution #0328

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Tri-County area is in competition with other regions both within the state and throughout the country for industrial development, and

Whereas, the Lansing Tri-County area can best encourage new growth and development by presenting a unified response to development inquiries, and

Whereas, planning and economic development officials have developed a program to bring about a cooperative regional approach to economic development, and

Whereas, the Michigan Urban Cooperative Act of 1967 authorizes intergovernmental agreements to jointly address mutual concerns, and

Whereas, the Mayor has reviewed and recommended that the City participate in this program, and

Whereas, funds are already appropriated in the 1985/86 budget to finance the City's participation.

Now, Therefore Be It Resolved, the Economic Development Committee endorses the participation of the City in a Regional Economic Development Program. By COUNCILMEMBER BLAIR—

That this resolution be amended in the last paragraph in the 2nd line after the word "the" add "concept of" and in the last line after the word "Program" delete the period , add a comma, and the words "subject to final contract and bylaws for program."

Lost by the following vote:

YEAS: Adado, Blair, Lindemann, Worthington—4.

NAYS: Belen, Benavides, Creamer, Schmidt—4.

By COUNCILMEMBER ADADO—

That we send this resolution to the Committee of the Whole for further information.

Lost by the following vote:

YEAS: Adado, Blair, Lindemann—3.

NAYS: Belen, Benavides, Creamer, Schmidt, Worthington—5.

Adopted by the following vote:

YEAS: Adado, Belen, Benavides, Creamer, Schmidt, Worthington—6.

NAYS: Blair, Lindemann—2.

By COUNCILMEMBER BELEN—

Resolution #0329

Resolved by the City Council of the City of Lansing:

That Public Improvement II for the curb and gutter and necessary storm sewer in various locations on the project known as the 1985 New Street Construction—I, PS 85046, be amended to include work on Parks Department properties in the Mt. Hope Cemetery and on E. Shiawassee Street at the Parks Field Office parking lot, and

Be It Further Resolved, that the monies for this project will be funded from Parks Department Account #516-538-000-930 and 101-718-000-930.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER BELEN—

Resolution #0330

Public Improvement I

Resolved by the City Council of the City of Lansing:

That it is hereby determined to be a public necessity to construct Storm Sewer and Curb & Gutter in Durwell Street from Haag Road to Hughes Road.

A petition (See Petition #CG-4-85) is on file with the City Clerk signed by 65% of the benefited owners and signed by owners of 69% of the benefited frontage.

That the Department of Public Service be and is hereby directed to cause to be prepared so far as

necessary, diagrams and plats of the whole of said district, and/or plans and specifications for such project, and is further directed to estimate in detail the cost of said project, and furnish said information to the Council.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER BELEN—

Resolution #0331

Resolved by the City Council of the City of Lansing:

That the special assessment roll for Storm Sewer and Curb & Gutter is as follows:

Assessment Roll #297, PS 65106 C&G and nec. St. sewer.

Property Benefited: All lands fronting on Christianson Road from Reo Road to Pierce Road excepting all Public Streets and alleys and other lands deemed not benefited.

Assessment Roll #297, PS 85044 C&G.

Property Benefited: All lands fronting on Southfield Avenue from Daft Street to Yunker Street excepting all Public Streets and alleys and other lands deemed not benefited.

Assessment Roll #297, PS 54084 C&G and nec. St. sewer.

Property Benefited: All lands fronting on Ingham Street from Holmes Road to Fauna Avenue excepting all Public Streets and alleys and other lands deemed not benefited.

Assessment Roll #297, PS 76109 C&G and nec. St. sewer.

Property Benefited: All lands fronting on Coulson Court from Miller Road north to the south line of Lancel Village #3 excepting all Public Streets and alleys and other lands deemed not benefited.

Assessment Roll #297, PS 54095 C&G and nec. St. sewer.

Property Benefited: All lands fronting on Dunlap St. from Viking St. to Ingham Street excepting all Public Streets and alleys and other lands deemed not benefited.

Assessment Roll #297, Parks Dept. properties C&G, street improvements, etc.

Property Benefited: Parks Department property within Mt. Hope Cemetery and on E. Shiawassee St. abutting Parks Department Field Office parking area.

The revised estimated expense of said improvements based upon construction bids are as follows:

Project Number PS 85046:

Assessment Roll #297 Storm. Intersection and City Contribution: \$22,862.73 (Acct. #401-787-010-974.677). Assessable to property owners: \$27,914.36. Total: \$50,777.09.

Assessment Roll #297 C&G. Intersection and City Contribution: \$82,465.46 as follows:

101-936-606-974 - \$38,642.78.

401-900-00-974.2 - \$40,017.76.

516-538-000-930 - \$2,000.00

101-718-000-930 - \$1,804.92

Assessable to property owners: \$79,291.07. Total: \$161,756.53.

Totals: Intersection and City Contribution: \$105,328.19. Assessable to property owners: \$107,205.43. Total Project Cost: \$212,533.62.

It is hereby ordered that this assessment returned by the City Assessor be received and placed on file, and the City Clerk be directed to publish a notice thereof by publication in a local newspaper five days in accordance with Section 28-17 of Chapter 28 of the Code of Ordinances.

Resolved further, that the City Council will meet at the Council Rooms on Monday the 5th day of August, 1985 at 7:0 p.m. for the purpose of reviewing said assessment roll.

All projects are a part of the 1985 New Street Construction -I Contract, PS 85046.

I hereby certify that funds are available for the City of Lansing's share of said project.

Charles S. Remenar
Deputy City Controller

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER BELEN—

Resolution #0332

Sidewalk Resolution

Resolved by the City Council of the City of Lansing:

That it is a necessary public improvement and it is hereby ordered that the sidewalk shall be reconstructed in front of, or adjacent to, the following described properties:

Parcel	Address	50/50 Shared Resp. Square Feet	100% City Resp. Square Feet	100% Owner Resp. Square Feet
3301-15-352-001	800 E. Kalamazoo	225		
3301-15-352-342	810 E. Kalamazoo	24		168
3301-15-352-321	814 E. Kalamazoo			168
3301-15-352-311	Parking Lot			177
3301-15-352-301	826 E. Kalamazoo	24		426
3301-15-352-281	834 E. Kalamazoo	144		
3301-15-352-271	836 E. Kalamazoo	213		
3301-15-352-261	902 E. Kalamazoo	120	60	
3301-15-352-251	904 E. Kalamazoo	168		
3301-15-352-241	908 E. Kalamazoo	24	48	
3301-15-352-221	404 S. Penn on K'zoo	234		
		12		
	Vacant Lot NW Cor. Euclid and Hickory	336	66	
3301-15-352-071	Vacant Lot W of #827 Hickory	162		
3301-15-352-081	827 Hickory	66	60	
3301-15-352-111	901 Hickory	24	60	
3301-15-352-121	905 Hickory	12	24	
3301-15-352-141	911 Hickory	132	72	
3301-15-352-151	915 Hickory	12	60	48
3301-15-352-171	921 Hickory	120		
3301-15-352-181	923 Hickory		24	
3301-15-352-191	Vacant Lot NW Cor. Penn. and Hickory	24		
	500 S Penn on Hick.	110	50	45
3301-15-355-181	916 Hickory	30	27	
3301-15-355-201	910 Hickory	48	24	
3301-15-355-211	906 Hickory	156	54	
3301-15-355-231	900 Hickory	126	102	
3301-15-355-261	828 Hickory	144	63	
3301-15-355-011	822 Hickory	48	48	
3301-15-355-001	816 Hickory	63		
	Euclid @ Hickory			
	Euclid @ Hick. NW			
	Euclid @ Hick. NE		62	48
3301-15-355-001	816 Hick. on Euclid	210		
3301-15-355-051	Vacant Lot W of 905 Euclid	120	120	

Parcel	Address	50/50 Shared Resp. Square Feet	100% City Resp. Square Feet	100% Owner Resp. Square Feet
3301-15-355-061	905 Euclid		48	
3301-15-355-101	518 Penn on Euclid	156	84	144
3301-15-358-021	801 E. St. Joe	24		48
3301-15-358-031	805 E. St. Joe	80		43
3301-15-358-041	809 E. St. Joe	40	40	
3301-15-358-061	815 E. St. Joe			20
3301-15-358-071	819 E. St. Joe		40	
3301-15-358-081	823 E. St. Joe	8	45	
3301-15-358-101	831 E. St. Joe		40	
3301-15-358-111	835 E. St. Joe	100	42	40
3301-15-358-121	837 E. St. Joe	30	10	20
3301-15-353-001	515 Hosmer on Bem.	20		
3301-15-353-011	809 Bement	60		
3301-15-353-021	811 Bement	25		50
3301-15-353-031	813 Bement	125	50	
3301-15-356-291	804 Bement		20	
3301-15-356-281	808 Bement		20	
3301-15-356-271	812 Bement	57	60	
3301-15-356-261	816 Bement	180	12	
	Hosmer @ K'zoo SE Corner			65
3301-15-352-001	800 K'zoo on Hosmer	510	23	66
	Hosmer @ Euclid NE		60	36
	Hosmer @ Euclid SE		24	24
	Adj. to RR Tracks			
	Adjacent to N side		48	
	Adjacent to S side		42	
	RR Lot S of tracks		78	
	Hosmer @ Heald Place, NE Corner		48	42
	Hosmer @ Heald Place, SE Corner		36	36
3301-15-353-001 (One Parcel)	507 S. Hosmer 509 S. Hosmer 513 S. Hosmer 515 S. Hosmer	120 144 72 96		
	Hos. @ Bement NE		30	30
	Hos. @ Bement SE			24
3301-15-358-001	800 Larned on Hos.	84	108	24
	Alley S. of 709 Hos.			84
3301-15-358-021	801 E. St. Joe on Hos	95	48	24
	Hos. @ St. Joe. NE		24	18
	Hos. @ St. Joe. SE			25
3301-22-102-002	801 S. Hosmer	130	100	
3301-15-356-001	603 S. Hosmer	72	96	
3301-15-356-011	607 S. Hosmer	99	48	
3301-15-356-021	609 S. Hosmer			72
3301-15-356-031	613 S. Hosmer	48		
3301-15-356-041	617 S. Hosmer	48	48	
3301-15-356-051	621 S. Hosmer	48	24	48
	Hos. @ Larned NE			48
	Hos. @ Larned SE		24	24
3301-15-356-081	811 Larned	81		
3301-15-356-091	815 Larned	40	80	
3301-15-356-101	819			80
3301-15-356-111	823 Larned	115	22	
3301-15-356-121	827 Larned	30	40	
3301-15-356-131	831 Larned	40		63
3301-15-358-271	830 Larned		40	40
3301-15-358-281	826 Larned	110	50	
3301-15-358-291	822 Larned	40		
3301-15-358-301	818 Larned	40		40
3301-15-358-321	812 Larned			60
3301-15-356-061	805 Larned	83		
3301-15-356-151	901 Larned	80		40
3301-15-356-161	905 Larned	20		20
3301-15-356-171	907 Larned	20		
3301-15-356-181	909 Larned	60		

Parcel	Address	50/50 Shared Resp. Square Feet 4' 6"	100% City Resp. Square Feet 4' 6"	100% Owner Resp. Square Feet 4' 6"	Parcel	Address	50/50 Shared Resp. Square Feet 4' 6"	100% City Resp. Square Feet 4' 6"	100% Owner Resp. Square Feet 4' 6"
3301-15-356-191	911 Larned		20		3301-14-176-061	216 N. Francis	180		
3301-15-356-201	917 Larned	25			3301-14-176-051	218 N. Francis	96	48	
3301-15-356-211	620 S Penn on Larn.		250		3301-14-176-041	222 N. Francis	72		
3301-15-358-201	700 S Penn on Larn.	227			3301-14-176-031	228 N. Francis	72		
3301-15-358-211	922 Larned	145			3301-14-176-021	228 N. Francis	72		
3301-15-358-221	914 Larned	101	50		3301-14-176-011	230 N. Francis	72	48	
3301-15-358-231	908 Larned	40			3301-14-176-001	234 N. Francis	24		
3301-15-358-241	906 Larned	20			Francis @ Vine SE			36	
3301-15-358-251	904 Larned	20			Francis @ Vine SW		30	25	
3301-14-328-071	2417 E Kzoo on Fran	40	23	50	3301-14-176-251	2414 Vine on Fran	20		
3301-14-328-091	312 S. Francis	20	20		3301-14-176-231	227 N. Francis	20	40	
3301-14-328-101	310 S. Francis	20	60		3301-14-176-221	223 N. Francis	40	20	
3301-14-328-111	304 S. Francis	130	40		3301-14-137-201	302 N. Francis	96		
3301-14-328-121	300 S. Francis	80	60		3301-14-137-191	306 N. Francis	54	120	
	Fran @ Prospect SW		12	21	3301-14-137-181	310 N. Francis	144	24	
	Fran @ Prospect SE		10	20	3301-14-137-171	312 N. Francis	24	63	72
3301-14-329-011	307 S. Francis	28			3301-14-137-161	314 N. Francis	174	30	
3301-14-329-021	313 S. Francis	16			3301-14-137-151	318 N. Francis	120	24	
3301-14-329-031	315 S. Francis	24	8		3301-14-137-141	322 N. Francis	168	36	
3301-14-329-051	2505 Kzoo on Fran.	92	68	32	3301-14-137-131	324 N. Francis	66	36	48
3301-14-327-101	201 S. Francis	10	30		3301-14-137-121	328 N. Francis	24		
3301-14-327-111	205 S. Francis	20	40		3301-14-137-111	330 N. Francis	169	24	
3301-14-327-121	207 S. Francis	20	60	40	3301-14-136-311	337 N. Francis	12	30	24
3301-14-327-141	213 S. Francis	60	40		3301-14-136-301	333 N. Francis	30	48	
3301-14-327-161	219 S. Francis		25		3301-14-136-291	331 N. Francis	138	54	24
3301-14-327-171	223 S. Francis		50		3301-14-136-281	325 N. Francis	24	18	48
3301-14-327-181	225 S. Francis	68	40		3301-14-136-271	321 N. Francis	24		
3301-14-327-191	229 S. Francis		20		3301-14-136-261	319 N. Francis	24		
	Fran @ Prospect NW		88	25	3301-14-136-251	315 N. Francis	72	96	
			25		3301-14-136-241	311 N. Francis	24	24	
3301-14-326-221	238 S. Francis				3301-14-136-231	307 N. Francis		24	
3301-14-326-231	230 S. Francis	25			3301-14-136-221	303 N. Francis	120	60	48
3301-14-326-251	222 S. Francis	100	60		Intersections		24	24	103
3301-14-326-261	218 S. Francis	45	60	65	3301-14-137-101	400 N. Francis	219	60	24
3301-14-326-271	212 S. Francis	20	45	120	3301-14-137-081	406 N. Francis	150	72	
3301-14-326-281	206 S. Francis		20	75	3301-14-137-071	410 N. Francis		48	
3301-14-326-301	200 S. Francis			80	3301-14-137-061	414 N. Francis	108	12	
3301-14-326-311	138 S. Francis	35	45	40	3301-14-137-051	416 N. Francis	60	30	26
3301-14-326-321	134 S. Francis	100	40		3301-14-137-041	418 N. Francis	72	30	
3301-14-326-331	132 S. Francis	10	30	40	3301-14-137-031	422 N. Francis	72	60	
3301-14-326-341	128 S. Francis	20			3301-14-137-021	428 N. Francis	12	36	60
3301-14-326-351	126 S. Francis	20			3301-14-137-011	430 N. Francis	12	24	
3301-14-326-361	118 S. Francis	80			3301-14-137-001	434 N. Francis	24		
3301-14-326-371	116 S. Francis	80	60			Fran @ Fern. SE		25	
	Alley N of #116			40		Fran @ Fern. SW		48	30
3301-14-326-421	2418 E Mich on Fran			140	3301-14-136-421	435 N. Francis	72	48	
3301-14-327-002	2500 E Mich on Fran			270	3301-14-136-411	431 N. Francis	24		
3301-14-327-012	115 S. Francis	55	8	20	3301-14-136-401	425 N. Francis		24	
3301-14-327-031	119 S. Francis			40	3301-14-136-381	419 N. Francis	96	54	24
3301-14-327-061	129 S. Francis	20	40		3301-14-136-371	417 N. Francis	24	42	
3301-14-327-071	133 S. Francis	70			3301-14-136-361	411 N. Francis	72	12	
3301-14-327-081	135 S. Francis	18	10		3301-14-136-351	409 N. Francis	24	12	
3301-14-327-091	139 S. Francis	60			3301-14-136-341	407 N. Francis		102	
3301-14-177-201	2501 E Mich on N Fr 24				3301-14-136-331	405 N. Francis	72		
3301-14-177-181	112 N. Francis		120		3301-14-136-321	403 N. Francis	72	24	
3301-14-177-171	116 N. Francis	24				Fran @ Fern. NE		48	43
3301-14-177-161	118 N. Francis	24				Fran @ Fern. NW		30	62
3301-14-177-141	128 N. Francis	24	48		3301-14-127-191	2509 Fern on Fran	120	120	
3301-14-177-131	130 N. Francis	12	12		3301-14-127-181	506 N. Francis	42	6	48
3301-14-177-121	134 N. Francis	12	12		3301-14-127-171	512 N. Francis	180	12	48
3301-14-176-082	Foster Comm Ctr	240	45	240	3301-14-127-161	518 N. Francis	144	48	
3301-14-176-171	117 N. Francis	20	20		3301-14-127-151	520 N. Francis	26		
3301-14-176-151	2423 E Mich on Fran 80			100	3301-14-127-141	522 N. Francis	78		
3301-14-176-111	200 N. Francis		48		3301-14-127-131	524 N. Francis	144	24	
3301-14-176-091	206 N. Francis	57	18		3301-14-127-121	526 N. Francis	60	36	
3301-14-176-081	210 N. Francis		18	60	3301-14-126-361	531 N. Francis	60	48	
3301-14-176-071	212 N. Francis	48							

Parcel	Address	50' Shaded Resp. Square Feet 4" 6"	50' Shaded Resp. Square Feet 4" 6"	100% City Resp. Square Feet 4" 6"	100% Owner Resp. Square Feet 4" 6"	Parcel	Address	50' Shaded Resp. Square Feet 4" 6"	50' Shaded Resp. Square Feet 4" 6"	100% City Resp. Square Feet 4" 6"	100% Owner Resp. Square Feet 4" 6"
3301-14-126-351	529 N. Francis	12	24			3301-20-328-151	1519 Wellington	50	50		
3301-14-126-341	523 N. Francis	24				3301-20-328-161	1535 Wellington	25	50		
3301-14-126-331	519 N. Francis	24					Well @ Pingree NE			44	24
3301-14-126-311	513 N. Francis			48			Well @ Pingree SE			24	24
3301-14-126-301	507 N. Francis			72		3301-20-326-121	1500 Wellington	85	15	50	
3301-14-126-291	505 N. Francis	24				3301-20-326-131	1510 Wellington	25	50	50	
3301-14-126-281	503 N. Francis	48		96		3301-20-326-141	1520 Wellington	50	50		
3301-14-126-271	501 N. Francis	48				3301-20-376-001	1600 Wellington	25	100		
3301-14-127-101	600 N. Francis	48	72	132	12	3301-20-376-011	1610 Wellington			100	
3301-14-127-091	602 N. Francis		24	24		3301-20-376-021	1620 Wellington	25	25		
3301-14-127-081	606 N. Francis	132	60			3301-20-376-031	1630 Wellington	25	50	75	
3301-14-127-071	616 N. Francis	72	96	72		3301-20-376-041	1638 Wellington	25	50		
3301-14-127-061	618 N. Francis	72	60			3301-20-376-051	1646 Wellington	25	75		
3301-14-127-051	622 N. Francis	60				3301-20-377-001	1601 Wellington	100	50		
3301-14-127-021	630 N. Francis	48				3301-20-377-011	1611 Wellington	25	25		
3301-14-127-011	2500 E Sag on Fran	30	42			3301-20-377-021	1619 Wellington		50		
3301-14-126-491	637 N. Francis	48		72			Well @ Wind. NE			24	24
3301-14-127-481	635 N. Francis	96					Well @ Wind. SE			59	24
3301-14-127-471	631 N. Francis	24				3301-20-377-071	1731 Wind. on Well	25	90		
3301-14-127-461	629 N. Francis		60	24		3301-20-377-081	1639 Wellington	75	85		
3301-14-127-451	625 N. Francis	12	48	24		3301-20-377-091	1730 Dover on Well	45	50		
3301-14-127-441	623 N. Francis		42				Well @ Dover NE			64	24
3301-14-127-432	619	72					Well @ Dover SE			64	24
3301-14-126-411	613 N. Francis	99				3301-20-376-061	1700 Wellington	75	25		
3301-14-126-391	607 N. Francis	24		84		3301-20-376-071	1710 Wellington		50		
3301-14-126-371	601 N. Francis	12	60			3301-20-376-081	1718 Wellington	50	25		
3301-16-276-001	Parking Lot Shia @ Larch SE	192	72			3301-20-376-092	1730 Wellington	75	25		
3301-16-228-191	401 N Larch @ Shia	198	174			3301-20-380-001	1740 Wellington	296			
3301-16-228-171	523 E. Shiawassee		107				Well @ Boston NW			24	24
3301-16-276-191	526 E. Shiawassee	252	72			3301-20-377-201	1746 Boston on Well		80		
3301-16-276-181	532 E. Shiawassee	582	72			3301-20-377-191	1745 Wellington		23		
3301-16-228-181	531 E. Shiawassee	96	24			3301-20-377-181	1735 Wellington	50	25		
3301-16-228-171	523 E. Shiawassee		107			3301-20-377-171	1727 Wellington	25	25	125	
3301-16-228-161	Vacant Lot		96			3301-20-377-161	1717 Wellington	25	75		
3301-16-228-141	507 E. Shiawassee	96				3301-20-377-151	1711 Wellington	50	100		
3301-16-228-131	501 E. Shiawassee	126			205	3301-20-377-141	1731 Dover on Well	75	75		
	Shia @ Larch SE			48		3301-20-328-161	1535 Well on Pingree	25			
3301-16-227-003	340 Larch on Shia	1290	66			3301-20-328-171	1724 Pingree	75	75		
3301-16-227-121	400 N Larch on Shia	168	24			3301-20-328-181	1718 Pingree	25	75		
3301-16-227-111	414 N Larch on Shia		48	96		3301-20-328-191	1714 Pingree	75	50		
3301-16-227-111	613 E. Shiawassee	189	114			3301-20-377-421	1715 Pingree	75	50		
3301-16-227-141						3301-20-377-431	1721 Pingree	25	25		
3301-16-227-142	637 E. Shiawassee	102	27			3301-20-377-441	1725 Pingree	25	25	50	
	Conrail NE Xing		30			3301-20-377-001	1601 Well on Pingree	100			
3301-15-103-012	703 E. Shiawassee		159			3301-20-328-021	1734 Abington			160	
3301-15-103-022	717 E. Shiawassee	24	48			3301-20-328-031	1726 Abington	25	105		
3301-15-151-261	728 E. Shiawassee		42			3301-20-328-041	1720 Abington	25	25	25	
3301-15-103-051	731 E. Shiawassee		36			3301-20-328-051	1721 Abington	25			
3301-20-326-071	1400 Wellington					3301-20-328-061	1727 Abington			65	
3301-20-328-001	1735 Blair on Well.	25				3301-20-328-071	1735 Abington	28	40		
3301-20-328-011	1409 Wellington	25		75		3301-20-377-031	1724 Windsor	46	26	27	71
3301-20-328-021	1734 Abington on Wellington			75		3301-20-377-041	1720 Windsor		35	105	
	Well @ Ab NE		24	24		3301-20-377-051	1719 Windsor		53	105	
	Well @ Ab SE		24	24		3301-20-377-061	1723 Windsor	27	27	27	27
3301-20-328-071	1735 Abington on Wellington	25	25			3301-20-377-071	1731 Windsor	25	25		
3301-20-328-081	1435 Wellington	50	50			3301-20-377-091	1730 Dover	50	150		
3301-20-328-091	1441 Wellington	25	25			3301-20-377-101	1724 Dover	103	30		
	Well @ Cant NE		24	24		3301-20-377-111	1720 Dover	8	20		
	Well @ Cant SE		24	24		3301-20-328-091	1441 Well on C'bury	25		80	
3301-20-326-081	1406 Wellington	35	15			3301-20-328-101	1726 Canterbury			80	
3301-20-326-091	1414 Wellington	50		25		3301-20-328-111	1720 Canterbury	23	30	55	
3301-20-326-101	1424 Wellington	25				3301-20-328-121	1721 Canterbury		28	80	
3301-20-326-111	1436 Wellington	50				3301-20-328-131	1727 Canterbury	55	26		
3301-20-328-141	1735 Cant on Well	25		75		3301-20-328-141	1735 Canterbury			115	
						3301-20-377-121	1721 Dover	26	80		
						3301-20-377-131	1725 Dover		26	53	

Parcel	Address	50/50 Shared	100% City	100% Owner
		Resp. Square Feet 4' 6"	Resp. Square Feet 4' 6"	Resp. Square Feet 4' 6"
3301-20-377-141	1731 Dover	50	55	
3301-20-377-142	1412 W. Mt. Hope	250	150	150
3301-20-377-161	1402 W. Mt. Hope			180
3301-20-377-161	1404 W. Mt. Hope			90

and that owners of said above described lands are hereby required to commence reconstruction within twenty (20) days from the date of this publication in accordance with Section 28-41 of the Code of Ordinances, or the Director of Public Service is authorized and directed to proceed to reconstruct said concrete sidewalk in accordance with Section 28-42 of the Code of Ordinances. The expense of constructing the same shall be paid out of the contingent fund, and the City Assessor is hereby directed to assess the expense of reconstructing the same against said described land in accordance with Section 28-44 of the Code of Ordinances.

The City Clerk and the Public Service Director are hereby directed to give due notice hereof, by publication of a notice of this resolution as provided by Section 28-41, Chapter 28 of the Code of Ordinances.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER BLAIR—

That the Committee on Public Properties and Safety be discharged.

Carried.

By COUNCILMEMBERS BLAIR, LINDEMANN, AND ADADO—

Resolution #0333

Resolved by the City Council of the City of Lansing:

Whereas, the judges of the 54A District Court have requested City Council approval of their appointment of Terrance A. Clem to the newly created position of Part-Time Magistrate; and

Whereas, the City Council is well-acquainted with Mr. Clem's qualifications and experience for this position.

Now, Therefore Be It Resolved, the Lansing City Council hereby approves the appointment of Terrance A. Clem to the position of Part-Time Magistrate in the 54A District Court.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER SCHMIDT—

Resolved by the City Council of the City of Lansing:

Whereas, the 1985 Tree Planting Program is based on phased plantings of geographic areas on a statistical priority basis determined by the Parks and Recreation Department, and

Whereas, the Parks Director's report on this program admits, "This means that some residents in priority D areas may have to wait up to twelve years to get a replacement tree, plus the number of years they may have already waited due to the current backlog," and

Whereas, Councilmembers should have some latitude in planting of street trees in response to constituent requests, outside the strict priority system of the current program.

Now, Therefore Be It Resolved, the Lansing City

Council hereby amends its policy on the City Tree Planting Program to allow each Councilmember discretion to determine the planting location of five trees per year, with such locations to be provided to the Parks and Recreation Department by March 1 of each year.

By COUNCILMEMBER SCHMIDT—

That this be considered read and referred to the Committee on Public Properties and Safety.

Carried.

By COUNCILMEMBER BLAIR—

That this also be referred to the Parks Board.

Carried.

By COMMITTEE OF THE WHOLE—

Resolution #0334

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has participated in Blue Lake Fine Arts Camp International Exchange Program since 1976, and

Whereas, Robert and Brenda Hull have again agreed to coordinate the visits of Jeunes Musicales Bremen (W. Germany) July 27-31, 1985; Jeugharmonie Burleske (Belgium), August 8-12, 1985; and Rottenbuch Blas-kapelle (W. Germany), September 16-19.

Now, Therefore Be It Resolved, the City of Lansing will co-sponsor with Blue Lake Fine Arts Camp the visits to Lansing of the above captioned groups and make the City's showmobile available as required.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolution #0335

Resolved by the City Council of the City of Lansing:

Whereas, the City Council has determined a need for specific guidelines regarding the granting of Commercial Tax Abatements in the City of Lansing.

Now, Therefore Be It Resolved, the Lansing City Council hereby approves the adoption of the attached commercial tax abatement policy.

Adopted by the following vote:

YEAS: Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt—7.

NAYS: Worthington—1.

COMMERCIAL TAX ABATEMENT POLICY

Purpose

The proposed revisions to the commercial tax abatement policies are intended to focus the provision of abatements to specific target areas within Lansing, to encourage the adaptive reuse of vacant dilapidated, obsolete commercial structures, and to provide assistance to businesses who may relocate outside Lansing without abatement assistance.

Policy Guidelines

Applicants for commercial tax abatements in the City of Lansing shall be evaluated in accordance with the following standards.

1. Applicants for two or less years of abatement

shall comply with the requirements detailed on Exhibit A. For these applications, demonstration of economic need is not required.

2. Applicants for more than two years of abatement shall comply with the requirements detailed on Exhibit A, and shall also be evaluated to determine if the project is located within or adjacent to a designated neighborhood or community commercial center, as designated by the Comprehensive Master Plan. If the project meets this standard, the Council may grant an exemption certificate for up to twelve years. The number of years of abatement shall be determined by the economic analysis of the project.

3. Projects in the downtown area and/or established historic districts shall receive per council policy adopted in 1978 twelve years of abatement.

Notwithstanding the process outlined in 1-3 above, the City Council may also grant abatement where the applicant can demonstrate that the granting of a tax abatement will halt a transfer of employment outside the City of Lansing, or result in a major increase in employment (15 persons) within the City of Lansing.

The economic analysis shall be performed by the assessor's office or an equally qualified agency or person with similar experience by reviewing the business proforma or actual balance sheets for the business, and shall consider the annual rate of return on the applicant's equity, the annual profitability of the project, and the annual cash flow of the project.

Exhibit A

1. The project must meet the requirements of the following local, state, and federal statutes:

- a. Zoning and building code regulations.
- b. Public health regulations.
- c. Barrier free design requirements.
- d. State or federal environmental protection regulations.
- e. Other applicable mandatory regulations (MIOSHA standards, new state regulations, etc.)

2. The owners of the subject property are not delinquent, at the time of final Council approval of the certificate, in City of Lansing real, personal property, or any special assessments.

3. The applicant shall have on file with the Lansing Human Relations Department an Affirmative Action Plan.

4. The project shall propose to replace or restore obsolete commercial property (as defined in Act No. 255), or construct a new commercial facility on cleared or vacant land that was zoned for commercial or industrial use prior to June 21, 1975; or on land which has been cleared for or is to be cleared for as the result of fire, or is to be cleared as a blighted area under Public Act 344 of 1945 (Blighted Area Rehabilitation Act, as amended); or included within a redevelopment plan prepared pursuant to Public Act 197 of 1975 (Downtown Development Authority Act, as amended); or Act 250 of 1941 (Urban Redevelopment Corporation Act, as amended); or Act 120 of 1961 (Redevelopment of Principal Shopping Areas, as amended.)

5. That if the project is a restoration of obsolete commercial property, that such improvements must exceed twenty percent (20%) of the state equalized valuation.

6. A commercial redevelopment district must be established prior to commencement of construction on the project.

7. That a request for a commercial exemption certificate must be filed with the City within 45 days from commencing construction on the project.

By COUNCILMEMBER BLAIR—

That we recess for 5 minutes.

Carried.

Council recessed at 8:55 p.m. and reconvened at 9:01 p.m.

INTRODUCTION OF ORDINANCES

The following ordinances of the City of Lansing, Michigan providing that the Code of Ordinances be amended by providing that subsection (C) of Section 26-23 of Chapter 26 - General Employees Retirement System Ordinance - be amended to provide that subsection (C) not take effect until January 1, 1986.

(Two versions introduced.)

was introduced by Councilmember Worthington, read a first and second time by their titles and referred to the Committee on General Services.

By COUNCILMEMBER CREAMER—

Resolution #0336

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, July 22, 1985 at 7:00 p.m. in the City Council Chambers, 10th Floor, City Hall, for the two Ordinances amending Chapter 26 for the purpose of revising the General Employees Retirement System.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER BELEN—

Resolution #0337

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, July 22, 1985 at 7:00 p.m. in the City Council Chambers, 10th Floor, City Hall, for the Ordinance amending Chapter 26 by repealing subsection 26-23 providing for Retirement Benefits.

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCE

The following ordinances of the City of Lansing, Michigan providing that the Code of Ordinances be amended by repealing subsection 26-23(c) of Chapter 26 of the Code providing for Retirement Benefits.

was introduced by Councilmember Belen, read a first and second time by their titles and referred to the Committee on General Services.

ORDINANCES

By COUNCILMEMBER LINDEMANN—

The Committee reported that it had considered an Ordinance providing, that the Code of Ordinances, City of Lansing, Michigan, be amended by adding a new Section 3-4 providing for the regulation of signs upon the public rights of way or properties which advertise sales and auctions,

and recommended that the ordinance be passed.

By COUNCILMEMBER LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing, that the Code of Ordinances, City of Lansing, Michigan, be amended by adding a new Section 3-4 providing for the regulation of signs upon the public rights of way or properties which advertise sales and auctions be placed on order of immediate passage.

By COUNCILMEMBER LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing, that the Code of Ordinances, City of Lansing, Michigan, be amended by adding a new Section 3-4 providing for the regulation of signs upon the public rights of way or properties which advertise sales and auctions be now passed.

Adopted by the following vote:

Unanimously.

Ordinance No. 705

An Ordinance of the City of Lansing, Michigan, providing that Chapter 3 of the Code of Ordinances be amended by adding a new Section 3-4 providing for the regulation of signs upon the public rights of way or properties which advertise sales and auctions.

The City of Lansing ordains:

Section 1. That Chapter 3 of the Code of Ordinances of the City of Lansing, Michigan be amended by adding Section 3-4 to read as follows:

Section 3-4. Posting and removal of signs advertising sales and auctions.

a. No person shall attach, place, paint, write, stamp, or paste any sign or advertisement or any other matter concerning yard sales, rummage sales, auctions or garage sales or other similar sales within any public right of way or on any public property unless:

1. The sign or advertisement is placed on the public right of way or public property no sooner than two (2) days before the date the sale or auction is to occur, and

2. The sign or advertisement is to be removed within one (1) day after the conclusion of the sale or auction. Under no circumstances shall any sign or advertisement concerning yard sales, rummage sales, auctions or garage sales or other similar sales be on the public right of way or public property for longer than four (4) consecutive days.

3. The sale signs or advertisement has the name of the person or organization sponsoring or conducting the sale and the address of the sale printed legibly upon it.

If a violation of this section has been committed and the individual committing the violation cannot be identified, the person, firm, or organization designated in the sign or advertisement as being the sponsor of the event shall be deemed responsible for the violation. Where the name of a person, firm or organization is not designated or identified in the sign or advertisement but an address is designated in the sign or advertisement as being the sponsor of the event, the owner or legal occupant at the identified address shall be deemed responsible for the violation. A violation charged under this section shall be deemed a civil infraction and be punishable by a civil fine of not more than \$500.00.

b. This section shall not permit the placement of signs or advertisements where otherwise prohibited by law.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from the date of its passage unless given immediate effect by the City Council.

Section 4. This ordinance shall expire ten (10) years from the date of its passage.

By COUNCILMEMBER LINDEMANN—

Resolved by the City Council of the City of Lansing:

This ordinance being necessary for the immediate preservation for the public peace, health, or safety shall take effect upon its passage.

Carried.

By COUNCILMEMBERS BELEN AND WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter from the Michigan Computer Education Foundation requesting to be recognized as a non-profit organization within the City.

Referred to the Committee on General Services.

DATE: 7/15/85

TO: Council President Charles Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Dept. of Transportation.

RE: Opening of US-27 (future I-69) Freeway north of Lansing.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

July 15, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

In accordance with the newly adopted Ordinance regarding the barricading of streets, I am requesting that the Cherry Hill neighborhood be barricaded.

I would appreciate your referral of this request to the Public Properties and Safety Committee for their action at this week's meeting. Staff will be present at this committee meeting to outline those streets which are recommended for barricade and to answer any questions. A Resolution should then be prepared for Council's action in the near future.

Thank you for your cooperation and immediate attention to this matter.

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT:

Sidewalk Repair work
 Street resurfacing update
 Major Street Repairs
 North Grand Parking Ramp
 Sewer Interceptor Work update

Construction problem areas - please note location and notify Mayor's notice.

REMARKS BY THE CITY COUNCIL

Councilmember Blair remarked on the need for volunteers to help clean up the river banks this Saturday.

Councilmember Schmidt remarked about the asphalt deterioration on S. Cedar St. at South St. intersection.

Councilmember Creamer reminded public service that small businesses in North Lansing needed street work completed as quickly as possible so business could continue as usual.

By COUNCILMEMBER ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

DATE: July 8, 1985

TO: Lou Klimecky, Chief of Internal Audit

FROM: Edward J. Piloske, Principal Internal Auditor

SUBJECT: Review of Award of Position of Housing Rehabilitation Agent -32.

This position was posted 3 times: Although the duties and responsibilities of the position did not decrease (in fact the Hay reclassification consultant increased the level of the position to a 32), the qualification requirements for the position changed two times. The original posting required "completion of college level coursework for a B.A. in Business, Accounting, or Public Administration and experience in Building Construction trades and Real Estate..." This posting was not signed by the Selecting Authority Stonehouse. Stonehouse complained these qualifications were too rigorous and therefore qualified applicants would be denied an opportunity to interview. So, a second posting was issued, this time signed by Stonehouse as selecting Authority which stated the qualifications as "High School diploma or G.E.D. required, college level coursework in Business, Accounting, or Public Administration preferred..." However, this posting was nullified as well. A third posting, in an agreement between all the parties - Tubbs and Stonehouse of Planning/Municipal Development and Jackson of Personnel - stated the requirements for the position as "Two years of college level coursework in Business, Accounting, Public Administration or related field; Associates Degree preferred..."

The qualifications in regard to this position fluctuated from coursework requiring a B.A. in Business, Accounting, or Public Administration with experience in Building Construction and Real Estate to (per 3rd posting) two-year level coursework in the same specialties but the experience requirement in building construction and real estate being deleted from the qualifications section. The second posting requiring a G.E.D. was invalidated. On all postings, there is an equivalency clause which states, "...or an equivalent combination of training and experience..." which allows the appointing authority great discretion in the selection of an applicant.

In conjunction with this matter, it should be noted that the Personnel Department together with the appointing authority, under our Affirmative Action Plan, has the responsibility and authority to review requirements of classifications to assure that job requirements are non-discriminatory and are solely related to an individual's ability to perform work for which he/she is seeking employment. Any non-job-related requirements must be eliminated if it has an adverse impact upon protected classes. (Refer to the attached - an excerpt from page 6 in the City of Lansing's Equal Employment Opportunity/Affirmative Action Plan.) Any department head who fails to comply with the Plan "shall be subject to disciplinary action" (page 3 of the Plan cited above.)

Since this is a Teamsters-designated position, the following union contract language would apply. Article VI, Section 1 states in part,

"The following conditions shall apply in awarding positions to qualified employees.

Positions in Salary Level 27 and Above.

The position will be awarded to the most qualified employee taking into account his/her knowledge, skills, ability, and experience. The Employer will not by-pass bargaining unit members who bid on positions except to hire a relatively more qualified applicant."

In conclusion, it is evident from the facts that qualifications were lowered for the position under review even though the duties/responsibilities of the position remained substantially the same. However, in consideration of Affirmative Action Plan requirements such review and modification of classification qualifications are within the purview of the Personnel Director to assure there is no adverse impact upon protected classes. The implication of the union contract in this matter (as it pertains to application of seniority in this selection) could potentially be the subject of a grievance which is beyond the scope of this review. Finally, it should be noted that the appointing authority has wide discretionary power in the selection process subject to the union contract and applicable laws (labor, civil rights, etc.). In every posting, the qualifications section contains the proviso "...or an equivalent combination of training or experience." This enables the appointing authority to exercise the discretionary judgment that the selected candidate's experience was the controlling factor and the most important consideration in selection based upon the essential elements involved in the job.

Referred to the Committee on General Services.

Mary Haney spoke regarding residents problems on Taft and Ashley Sts. and on Camp St.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:28 P.M.

RITA BAUMAN,
 City Clerk

July 15, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

328

Proceedings, July 22, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

July 22, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmembers Adado, Belen, Blair, Creamer, Lindemann, Schmidt, Worthington—7.

Absent: Councilman Benavides—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Adado.

Pledge of allegiance.

By COUNCILMEMBER SCHMIDT—

That the Council Proceedings of June 24, 1985 be approved.

Carried.

By COUNCILMEMBER ADADO—#0338

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of letting Mr. Mike Motz present the following tribute to Mr. Ed. Lewis (Mr. Downtown Lansing) who died on Sunday, July 21, 1985.

"MR. DOWNTOWN"
ED LEWIS

*For us it started in 77
Enter: Ed Lewis. What's this? A promoter from heaven?*

*He gave so much—oh, so much
And many a heart he dearly touched.*

*From the early Muscular Dystrophy days
And to all the city projects he touched,
he became a friend to all*

*From New York City and other cities that fell in line
Right up to our own Lansing City Hall.*

He seemed to live under the assumption of 'Do for others'

*And from his heart he gave and gave
From his sorrow he would give joy
And the feelings of others he tried to save.*

*There's only so much that can be
Put in words or that you can say.
But any contact or visit from him
He always left a smile and made your day.*

*'P.T. Barnum Lewis' and 'Mr. Downtown'
Are names he was described as most
So to you, Mr. Ed Lewis, Goodbye
Here's a rousing City of Lansing toast:*

Hail! Hail!

Mike Motz - Friend

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing
Whereas, each of us has a special purpose and calling on this earth, and

Whereas, Edwin B. Lewis, who walked among us for three quarters of this century, lived every day in the knowledge that people, not things, are what this life is all about, and

Whereas, 'Mr. Downtown' as he was known to many of us, served this community in ways which defy measurement, and

Whereas, Ed Lewis had time and heart for every human being no matter what his or her station happened to be, and

Whereas, Ed's greatest joy was to watch everyday people enjoying a special show or event which would enrich or somehow embellish their routine existence, and

Whereas, his accomplishments on behalf of the Bicentennial Committee, Muscular Dystrophy, Downtown Lansing, Riverfest, the Vietnam Veterans, the kids at Christmas or a friend or relative in need, cannot be enumerated, and

Whereas, Ed Lewis dedicated his life to the creation of smiles,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially salutes the life and achievements of Edwin B. Lewis, a wonderful human being, and a Great American, 'Born On The Fourth of July.'

Adopted by the following vote:

Unanimously.

A poem was read by the City Clerk in memorial tribute to Lori Rulison who died recently in Seattle, Washington of Leukemia.

**HEARING ON PROPOSED CHANGE IN
ZONING CLASSIFICATION**

July 22, 1985 at 7:00 o'clock p.m. being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983 said proposed amendment being as follows:

That the property described as:

Z-9-85—1902 E. Cavanaugh to be rezoned from 'J' Parking District and 'H' Light Industrial District to 'I' Heavy Industrial District.

The Council President announced that if there was anyone o 'I' present who had any suggestions or objections to make to the proposed amendment (s) to the Classifications as provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment (s).

Referred to the Committee on Physical Development

HEARING ON THE PROPOSED CHANGE IN ZONING CLASSIFICATION

July 22, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983 said proposed amendment einging as follows:

That the property described as: Z-13-85—116W. Kilborn St. to be rezoned from 'C' Residential District to 'D-1' Professional Office District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment (s) to the Classifications as provided for in the Zoning Code he had the privilege of speaking at this time.

Objections were made to the proposed amendment (s).

Referred to the Committee on Physical Development

HEARING ON PROPOSED CHANGE IN ZONING CLASSIFICATION

July 22, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983 said proposed amendment einging as follows:

That the property described as: Z-14-85—2213-2223 W. Jolly Rd. to be rezoned from 'A' Family District to 'C' Family District

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment (s) to the Classifications as provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment (s).

Nancy Kelley, 2313 Midwood St., spoke in regard to the parking situation and congestion in this area.

Robert Stanaway, 320 Riley St., spoke in opposition to the rezoning. He represented his mother who lives at 2301 W. Jolly.

Referred to the Committee on Physical Development

HEARING ON PROPOSED CHANGE IN ZONING CLASSIFICATION

July 22, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983 said proposed amendment einging as follows:

That the property described as: Z-15-85—1321 W. Holmes Rd. to be rezoned from 'A' Residential District to 'F' Commercial District

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment (s) to the Classifications as provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment (s).

Referred to the Committee on Physical Development

HEARING ON PROPOSED CHANGE IN ZONING CLASSIFICATION

July 22, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in

the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983 said proposed amendment einging as follows:

That the property described as: Z-16-85—2726 N. Grand River Ave. to be rezoned from 'J' Parking District to 'A' Residential District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment (s) to the Classifications as provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment (s).

Referred to the Committee on Physical Development

PUBLIC HEARING

July 22, 1985, at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Special Land Use - SLU-2-85, 1902 E. Cavanaugh Road to permit sand and Gravel extraction

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed special land use they will have the privilege of speaking at this time.

Referred to the Committee on Physical Development

PUBLIC HEARING

July 22, 1985, at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Special Land Use - SLU-7-85—3308 Maloney St. to expand an existing adult foster care facility.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed special land use they will have the privilege of speaking at this time.

Referred to the Committee on Physical Development

PUBLIC HEARING

July 22, 1985, at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed establishment of a Lansing Industrial Plant Rehabilitation District IPR-3-85 for 630 Park Place.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed industrial plant rehabilitation District they will have the privilege of speaking at this time.

R. G. Curtiss, owner of property, spoke.

Referred to the Committee on Economic Development

PUBLIC HEARING

July 22, 1985, at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed make-safe or demolish property located at 528 W. Maple Street.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed make-safe or demolition of property they will have the privilege of speaking at this time.

John McKissic, owner, spoke regarding demolition of property.

Referred to the Committee on General Services

PUBLIC HEARING

July 22, 1985, at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed ordinance to amend Chapter 26-23 (c) of General Employees Retirement Ordinance providing that subsection (c) not take effect until January 1, 1986.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed ordinance amendment they will have the privilege of speaking at this time.

PUBLIC HEARING

July 22, 1985, at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed ordinance to amend Chapter 26, Section 23, subsection (c) of the General Employees Retirement System Ordinance by repealing subsection (c).

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed ordinance amendment they will have the privilege of speaking at this time.

PUBLIC HEARING

July 22, 1985, at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed ordinance to amend Chapter 26, section 23, subsection (c) to be applicable to those under contract only.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed ordinance amendment they will have the privilege of speaking at this time.

Speakers regarding all three amendments to Retirement Ordinance were:

Donna Collins, 2827 Sunderland Rd., Finance Dept.
Merl Lemon, 1803 Linval St., Public Service Dept.
Jan Lazar, 2313 Northampton Way, Budget Director
Ruby White, representing Lansing Employees Retirement Board

George Swanson, Public Service Dept.
Margie Dyer, District Court
Robert Bell, Wastewater Treatment Plant
James Dowsett, Director of Finance
Margaret Herp, retiree, 906 Stanley St.
Mary Haney, 1312 Roosevelt St.
Jacqueline Warr, Human Resources Director
Charles Leland, Member of Lansing Employees Retirement Board

Letter read from Brenda Ballard, Planning Dept.

Three spoke in favor of the ordinance and ten were not in favor.

All three amendments were referred to the Committee on General Services

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing

That the rules of the Council be waived for the purpose of presenting Senator William Sederburg to speak at this time.

Carried

Senator Sederburg spoke and updated City Council regarding State Budget Funding for:

Outstate Equity Fund
Women's Hall of Fame being funded for \$25,000 from State

Ferris parking lot improvements
Announced the Capitol would be open year-round

starting in October on holidays and weekends

Funds set aside in the amount of \$150,000.00 to start restoration of the Capitol

Request the City's help for the Sesqui-Centennial celebration being planned for 1987.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing

That the rules of the Council be waived for the purpose of presenting a letter from Brenda Ballard, City employee, in regard to public hearings for ordinance amendments of the General Employees Retirement System.

Carried

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Committee Report 1C (1,2, and 3) were pulled from the agenda.

Michael Kelly, Kelly's Downtown, 203 So. Washington Sq. spoke regarding communication #5 - permission to establish an outdoor cafe in front of their building.

Patrick Cummings, representing the Gaelic League of Lansing addressed City Council regarding the Ethnic Festival held July 4th weekend at Riverfront park. He presented council with a copy of his remarks which were referred to the Committee on Public Properties and Safety.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been submitted for licenses:

CABARET: Colonial Bar, Inc., Covellos
BEER AND WINE CARRY-OUT: Lansing Drive-Thru, Inc.
ADULT BOOKSTORE AND ADULT MOTION PICTURE THEATRE: Cinema X of Lansing
HEALTH CLUB LICENSE: Y.M.C.A.
BUILDING WRECKER: Reid Iron and Metal

Referred to the Committee on General Services

Claim filed by Paul R. Klopfenstein, 400 W. Northrup St., for mailbox damaged by Parks and Recreation employee while mowing Beck Park.

Referred to the Mayor and City Attorney

Application for Commercial Redevelopment District at 111 S. Capitol Avenue filed by Lyons Savings and Loan Association.

Referred to the Mayor and Committee on Economic Development

Amended notice of intent to establish Condominium Project for Medical Center West, 701 North Logan St. filed by Murphy, Inc.

Referred to the Mayor

Request from Kelly's Downtown, 203 So. Washington Square, for permission to establish an outdoor Cafe in front of their building.

Referred to the Mayor

Letter from Gary Andrews, Chairperson of Popular Arts Workshop, regarding their suspension of Lansing Operations.

Received and placed on file

Lansing Regional Chamber of Commerce submits requests to rescind or delay action for establishing a new pension plan for City Executive Staff.

Received and placed on file

Request submitted by Patrick Cummings, Gaelic League of Lansing, to address City Council regarding the Ethnic Festival.

Referred to the Committee on Public Properties and Safety and Parks Board

Letter from Chris Baryames requesting cut in cement median-strip for entrance to property at 716 South Pennsylvania Ave.

Referred to the Mayor and Traffic Board

MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:

Mr. Cleophus Boyd spoke regarding Mayor's letters 3F (Election of Officers to the Lansing Traffic Board and Planning Board.)

REPORT OF COMMITTEES

The Committee on General Services approves the following licenses and bonds:

CABARET LICENSE: Colonial Bar, Inc., Covellos's BEER AND WINE CARRY-OUT: Lansing Drive-Thru, Inc.

ADULT BOOKSTORE AND ADULT MOTION PICTURE THEATRE: Cinema X of Lansing, Inc. HEALTH CLUB LICENSE: Y.M.C.A.

BUILDING WRECKER: Reid Iron and Metal

Sidney Worthington
Alfreda Schmidt
Charles Creamer
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously

The Committee on General Services—

To whom was referred the Mayor's Report on an application for Motorcycle Racing.

Reports as follows: The Committee concurs with the Administration's conclusion that motorcycle racing on Lansing city streets is not permissible. The Mayor is requested to inform the applicants of this decision.

Sidney Worthington
Alfreda Schmidt
Charles Creamer
Committee on General Services

By COUNCILMAN WORTHINGTON

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously

The Committee on Public Properties & Safety

To whom was referred the matter of fees to be charged in conjunction with the City's revised Fire Code.

Reports as follows: The Budget Division is hereby requested to perform an audit to determine an appropriate fee structure sufficient to offset the cost of the operation.

Pat Lindemann

James Blair
Louis F. Adado
Committee on Public Properties & Safety

By COUNCILMAN LINDEMANN

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously

REPORTS OF CITY OFFICERS AND BOARDS

July 16, 1985

President Charles Creamer
and Members of City Council

Re: Caim of D.V. and Kay Thrush in the amount of \$50

Dear President Creamer
and Members of City Council:

On May 23, 1985 Lansing City Council received a claim from D.V. and Kay Thrush, 233 South Waverly Road, Lansing Township, for a plumbing bill in the amount of \$50.00. The Thrushs' state that on May 9, 1985, a sewer backed up into the basement of their business, Waverly Animal Hospital. Before discovering the plug existed in the City's sewer main, the Thrushs' called Ball Septic Tank Service and incurred \$50.00 in labor charges. Once the source of the problem was discovered, the Public Service Department was called and a City crew cleaned the sewer main.

Michigan law immunizes municipalities from tort liability where the municipality is engaged in the exercise and discharge of a governmental function, MCLA 691.1407; MSA 3.996(107). In *Ross v Consumers Power Co.*, 420 Mich 567 (1984) (on rehearing), the Michigan Supreme Court adopted an expanded definition of activities which are governmental in nature and thus are protected by governmental immunity. The Michigan Supreme Court concluded that 'a governmental function is an activity which is expressly or implicitly mandated or authorized by constitution, statute or other law'. The City of Lansing provides sewer service to Lansing Township pursuant to an intergovernmental services agreement. State law provides at MCLA 124.3; MSA 5.4083 that the City may contract with another municipal corporation to provide services to property within the latter's corporate limits, so long as the City is legally furnishing the same service within its own corporate limits. Section 8-30 of the 1978 Lansing City Charter provides that the City shall have all power granted by law to, inter alia, maintain and repair public utilities within its corporate limits. Thus, it is clear that the specific activity engaged in is expressly authorized by both State statute and City Charter.

Based upon the above cited facts and law, it is the recommendation of this office that the claim be denied.

Respectfully submitted,
Stephen R. Sawyer
City Attorney

By COUNCILMEMBER ADADO—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

July 17, 1985

TO: Charles M. Creamer, City Council President
SUBJECT: Court's Appointment of Magistrate

The Judges of the Court, after extensive interviewing, have appointed Krista L. Krause of Lansing to fill the recently vacated position of Magistrate. Krista Krause

was admitted to the Bar in May of 1983 and has served the Court as one of its Court Officers since January, 1984. The Judges have found her to be a person of sound judgment and discretion and above all, a person with great integrity.

The Judges respectfully request the Council to approve the appointment of Krista L. Krause to this position.

Respectfully submitted,

Charles F. Filice
Chief District Judge

Referred to the Committee on General Services

TO: Council President Charles Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 7/16/85

SUBJECT: Submission of attached correspondence from Lansing Housing Commission

RE: Resolution authorizing execution of Amendment #21 to Annual Contributions Contract C-3007 and issuance of Project Loan Permanent Notes

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER ADADO—

That we concur in the recommendation of the Mayor and the following resolution be approved.

Carried.

PROJECT LOAN NOTE #0339

The City of Lansing

(herein called the 'Borrower') for value received promises to pay upon demand to the United States of America (herein called the 'Government') or order an amount, with interest thereon to the date of payment, equal to the aggregate amount of advances made to the Borrower by the Government pursuant to the Annual Contributions Contract (herein called the 'Contract') between the Borrower and the Government with respect to the low-rent housing Project as hereinafter set forth.

The Contract, Project, and Maximum Aggregate Amount of Advances are as follows:

Contract No. and Date: C-3007, 3-29-71

Project No.: M133-P058-015

Maximum Aggregate Amount of Advances:
\$5,214,400

This Note is issued to aid in financing the above-designated Project pursuant to the constitution and statutes of the governmental entity specified below and herein called the 'State', and pursuant to the provisions of a resolution or ordinance (herein called the 'Resolution' or 'Ordinance', respectively, as the case

STATE: Michigan

ORDINANCE RESOLUTION ADOPTED: 2-26-69

Interest hereon shall accrue at the interest rate applicable to the Project as provided in the Contract only upon the difference in amount from time to time between the aggregate amount of advances and the aggregate amount of repayments of principal made on this Note. Each payment on account of this Note shall be applied to interest then accrued and the remainder to principal. Each advance, repayment, and interest payment on the Note shall be duly recorded by the

Government, by date, amount and type, upon the 'Statement of Advances and Repayments; which is made a part of this Note whether appearing on the reverse hereof or attached hereto. Both principal of and interest on this Note are payable at the office of the Secretary of Housing and Urban Development in the City of Washington, D.C., in lawful money of the United States of America, but the Borrower may issue and deliver to the Government its Permanent Note (as defined in the Contract) in payment of all or any portion of the indebtedness hereunder as may be agreed upon by such parties.

This Note, together with all other notes issued pursuant to the Resolution or Ordinance with respect to the above-designated Project, is secured by (1) a first pledge of a specific portion of the annual contributions payable to the Borrower and authorized to be pledged to the payment of such Notes and the interest thereon, pursuant to the Contract and (2) a first pledge of and lien on the Residual Receipts (as defined in the Contract) of such Project.

As additional security for the equal and reliable payment of the principal of and interest on this Note, together with all other notes issued pursuant to the Resolution of Ordinance with respect to the above-designated Project, the Borrower to the fullest extent permitted by the laws of the State, hereby pledges, mortgages, conveys and grants, and by this Note and the Resolution or Ordinance has pledged, mortgaged, conveyed and granted unto the Government, its interest in all the real and tangible personal property whatsoever situated which it has acquired or may hereafter acquire in connection with or relating to the above-designated Project, including that certain real property relation to said Project and more particularly described in the trust instrument or any amendment thereto as executed and recorded by the Borrower pursuant to the Contract. If the preceding sentence shall be adjusted by a court of competent jurisdiction to be invalid or ineffective it is the intention of the Borrower to be fully obligated under the other provisions of this Note and that such judgement shall not impair or invalidate the obligation of the Borrower to pay the principal of and interest on this Note from other funds of the Borrower as herein provided.

The pledges and other obligations of the Borrower under this Note shall be discharged upon payment of the entire indebtedness hereunder.

The Borrower, for itself and its successors and assigns, hereby waives presentment, demand for payment, protest and notice of dishonor, and hereby consents that the holder of this Note shall have the right, without notice, to deal in any way, at any time, with the Borrower, or to grant to the Borrower any extensions of time for payment of any of said indebtedness, or any other indulgences or forbearances whatsoever, or may release any of the security for this Note, without in any way affecting the liability of the Borrower hereunder.

No personal responsibility or accountability shall attach to any officer of the Borrower or to any person executing this Note by reason of the execution of issuance hereof.

IT IS HEREBY CERTIFIED, RECITED AND DECLARED that all acts, conditions and things required by the constitution and statutes of the State to exist, happen or be performed, precedent to and in the issuance of this Note, do exist, have happened and have been performed in due time, form and manner as required by law. This Note shall not constitute an indebtedness within the meaning of any constitutional or statutory public debt limitation or restriction and in no event shall it be payable out of taxes or other funds of the Borrower other than those referred to herein.

IN WITNESS WHEREOF, the Borrower has caused

This Note to be executed in its name and its seal to be impressed hereon and attested by its proper officers thereunto duly authorized; and this Note to be dated the 22nd day of July, 1985.

The City of Lansing
By: Terry J. McKane, Mayor

Adopted by the following vote:

Unanimously

TO: Council President Charles Creamer and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: 7/16/85
SUBJECT: Submission of attached News Release from Transportation Department

RE: Closing of Waverly Road

The attached News Release is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

TO: Council President Charles Creamer and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: 7/16/85
SUBJECT: Submission of attached correspondence from Governor James J. Blanchard
RE: Executive Office Staff

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

TO: Council President Charles Creamer and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: 7/12/85
SUBJECT: Submission of attached correspondence from Consumers Power Company
RE: Services of Energy Distribution Dept.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

TO: Council President Charles Creamer and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: 7/16/85
SUBJECT: Submission of attached correspondence from Donald L. Freed
RE: Resignation from Capital Region Airport Authority

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

TO: Council President Charles Creamer and City Councilmembers
FROM: Terry J. McKane, Mayor

DATE: 7/19/85

SUBJECT: Submission of attached correspondence from Lansing Traffic Board

RE: Election of Officers

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

TO: Council President Charles Creamer and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: 7/16/85
SUBJECT: Submission of attached correspondence from Planning Board
RE: Election of Officers

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

TO: Council President Charles Creamer and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: 7/18/85
SUBJECT: Submission of Attached correspondence from Lansing Traffic Board
RE: Temporary CATA Staging Area

The attached recommendation is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety

TO: Council President Charles Creamer and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: 7/18/85
SUBJECT: Submission of correspondence from Lansing Traffic Board

RE: Christiansen St. and Hillcrest St.
Four Way Stop

The attached recommendation is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety

TO: Council President Charles Creamer and City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: 7/19/85
SUBJECT: Submission of attached correspondence from Lansing Traffic Board

RE: Butler Blvd. and Michigan Ave.
Stop Sign Change

RE: Barnes Ave. at Beal St.
Request for Stop Signs

The attached recommendation is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety

TO: Council President Charles Creamer and City Councilmembers
 FROM: Terry J. McKane, Mayor
 DATE: 7/19/85
 SUBJECT: Submission of attached correspondence from Planning Board

RE: Declassification of streets to alleys:

Edgewood Court from Daleford St. to Englewood Ct.
 Englewood Ct. from Chicago St. to Wisconsin St.
 Summerville Ave. from Oakland Ave. to Englewood Ct.

The attached recommendation is submitted with my concurrence for your action.

Terry J. McKane
 Mayor

Referred to the Committee on Public Properties and Safety

TO: Council President Charles Creamer and City Councilmembers
 FROM: Terry J. McKane, Mayor
 DATE: 7/19/85
 SUBJECT: Submission of attached correspondence from Planning Board

RE: ACT-39-84, Reopening of Harton St.

The attached recommendation is submitted with my concurrence for your action.

Terry J. McKane
 Mayor

Referred to the Committee on Public Properties and Safety

TO: Council President Charles Creamer and City Councilmembers
 FROM: Terry J. McKane, Mayor
 DATE: 7/19/85
 SUBJECT: Submission of attached correspondence from Planning & Municipal Development

RE: Plant Rehabilitation District Application

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
 Mayor

Referred to the Committee on Economic Development

TO: Council President Charles Creamer and City Councilmembers
 FROM: Terry J. McKane, Mayor
 DATE: 7/19/85
 SUBJECT: Submission of attached correspondence from Planning & Municipal Development

RE: Trash Removal Assessment - U-29 December 1985

Tax Roll \$3,480.79

The attached Assessment is submitted with my concurrence for your action.

Terry J. McKane
 Mayor

By COUNCILMEMBER ADADO—

That we concur in the recommendation of the Mayor and the trash removal assessment in the amount of \$3,480.79 be placed on the U-29 Dec. 1985 Tax Roll.

Carried.

TO: Council President Charles Creamer and City Councilmembers
 FROM: Terry J. McKane, Mayor
 DATE: 7/19/85
 SUBJECT: Submission of attached correspondence from Planning & Municipal Development

RE: Grass Cutting Assessment for L-27

December 1985 Tax Roll \$3,552.50

The attached Assessment is submitted with my concurrence for your action.

Terry J. McKane
 Mayor

By COUNCILMEMBER ADADO—

That we concur in the recommendation of the Mayor and the grass cutting assessment in the amount of \$3,552.50 be placed on the December 1985 Tax Roll L-27.

Carried.

TO: Council President Charles Creamer and City Councilmembers
 FROM: Terry J. McKane, Mayor
 DATE: 7/19/85
 SUBJECT: Submission of attached correspondence from Planning & Municipal Development

RE: Grass Cutting Assessment for L-27
 December 1985 Tax Roll \$3,144.98

The attached assessment is submitted with my concurrence for your action.

Terry J. McKane
 Mayor

By COUNCILMEMBER ADADO—

That we concur in the recommendation of the Mayor and the Grass Cutting Assessment be placed on the L-27 December 1985 Tax Roll.

Carried.

TO: Council President Charles Creamer and City Councilmembers
 FROM: Terry J. McKane, Mayor
 DATE: 7/19/85
 SUBJECT: Submission of attached correspondence from Planning Board

RE: P-4-79, Trapper's Cove #3 Final PLat

The attached recommendation is submitted with my concurrence for your action.

Terry J. McKane
 Mayor

Referred to the Committee on Physical Development

TO: Council President Charles Creamer and City Councilmembers
 FROM: Terry J. McKane, Mayor
 DATE: 7/19/85
 SUBJECT: Submission of attached correspondence from Planning Board

RE: SLU-11-85, 3600 Block West Jolly Rd. The

attached recommendation is submitted with my concurrence for your action.

Terry J. McKane

Mayor

Referred to the Committee on Physical Development

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 7/19/85

SUBJECT: Submission of attached correspondence from Planning Board

RE: SLU-8-85, 900 Holten

The attached recommendation is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 7/19/85

SUBJECT: Submission of attached correspondence from Planning Board

RE: SLU-12-85, 620 Leshar Place

The attached recommendation is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 7/19/85

SUBJECT: Submission of attached correspondence from Planning Board

RE: Z-17-85, 620 Leshar Place

The attached recommendation is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 7/19/85

SUBJECT: Submission of attached correspondence from Planning Board

RE: Cherry Hill Area Development Plan

The attached recommendation is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development

Council President Charles Creamer
and City Councilmembers
10th Floor, City Hall

July 19, 1985

Lansing, MI 48933

Dear President Creamer and Councilmembers:

With your support the City has undertaken a more aggressive and better-planned replacement tree planting program. This Spring we planted 600 new street trees at a cost of \$12,000.

These new trees will do much to improve the quality of life in our neighborhoods. They will provide shade, screening, bird and animal habitat, and beauty. They will assist us to re-establish Lansing as a 'City in the Forest'.

I have discussed our program with staff. It is possible to plant additional trees in 1985—without hiring more staff or purchasing more equipment.

Accordingly, I recommend a transfer of \$8,000 to purchase and plant 400 additional trees in Lansing neighborhoods during Autumn, 1985. A transfer for this purpose is attached.

Sincerely,
Terry J. McKane
Mayor

Referred to the Committee on Ways and Means

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 7/19/85

SUBJECT: Submission of attached correspondence from Planning Board

RE: Zoning Ordinance Amendment
Section 36-12.2, Chapter 36A

The attached recommendation is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development

RESOLUTIONS

By GENERAL SERVICES COMMITTEE— #0340

Resolved by the City Council of the City of Lansing:

Whereas, the City engaged the services of a consultant to research and develop a new Affirmative Action Plan for all elements of this city government; and

Whereas, the consultant has submitted a plan which has been recommended for approval by the Mayor and the Human Relations Board; and

Whereas, the Committee on General Services has reviewed the plan, heard testimony from community representatives, and made minor changes.

Now, Therefore, Be It Resolved the Lansing City Council hereby approved the recommended Affirmative Action Plan(attached); and

Be It Further Resolved the mayor is authorized to submit the Plan to the Michigan Civil Rights Commission for State approval.

(attachment)

Adopted by the following vote:

Unanimously

By GENERAL SERVICES COMMITTEE— #0341

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Building

Safety Division of the Planning and Municipal Development Department, determined that the building located at 414 Curry Lane legally described as: Lot 9, Supervisor's Plat, No. 9, City of Lansing, Ingham County, 3305-04-477-121-9 was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Officers on November 15, 1984, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on July 15, 1985 to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved, that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building; and

Be It Further Resolved, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution; and

Be It Further Resolved, that should the owner fail to substantially comply with the Hearing Officer's order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

Be It Further Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Finally Resolved, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

ADOPTED by the following vote:

Unanimously

By GENERAL SERVICES COMMITTEE— #0342

Resolved by the City Council of the City of Lansing:

Whereas, the Arbitrator has not yet rendered a decision relative to the status of the Administrative Assistant position within the Fire Department.

Now, Therefore, Be It Resolved, that the Administrative Assistant 29 position be authorized through September 30th or until the Arbitrator's decision is reached, and that residual funds be authorized to fund the extension.

Adopted by the following vote:

Unanimously

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY #0343

Resolved by the City Council of the City of Lansing:

That the supplementary special assessment roll for 84 Washington Mall Maintenance beginning at the intersection of N. Capitol and W. Shiawassee, E. on Shiawassee (S. side only) to N. Grand Ave., S. on Grand Ave. (both sides) to Lenawee St., W. on Lenawee (N. side only) to S. Capitol Ave., N. on Capitol Ave. (both side-excludes Reutter Park) to W. Allegan and on Capitol Ave. (E. side only) N. to point of beginning; also Washington Square from Shiawassee (both sides) S. to Lenawee Street; also the following East and West Streets from Capitol Ave. to Grand Ave. (both sides) Ionia, Ottawa, Michigan Ave., Allegan, Washtenaw and Kalamazoo.

Assessment: Roll No. WM-84

Location, See Above

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll on or before October 8, 1985.

Estimated Billing \$68,346

Actual Cost 67,681

Refund 665

Adopted by the following vote:

Yeas—Councilmembers Adado, Belen, Blair, Creamer, Schmidt, Worthington

Nays—Councilmember Lindemann

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY #0344

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing was awarded \$496,000 of Equity funds from the State of Michigan in 1984; and

Whereas, the specific projects that the funds were to be utilized for, must be underway by October 1, 1985; and

Whereas, \$200,000 was allocated for the approach to the Capitol and to be combined with federal funds; and

Whereas, the federal funds will not be available on the schedule required for the Equity funds, thus the approach to the Capitol will not commence this year; and

Whereas, the Potter Park Zoo project is the alternative project and is ready to proceed previous to the deadline date;

Now, Therefore, Be It Resolved that the Lansing City Council does approve using the \$200,000 for the Potter Park Zoo project.

Adopted by the following vote:

Unanimously

By COMMITTEE ON PUBLIC PROPERTIES & SAFETY #0345

Resolved by the City Council of the City of Lansing:

Whereas, the Committee on Public Properties and Safety has discussed and reviewed the proposed overflow parking lot for the Convention/Exhibition Center, and

Whereas, the Mayor and Traffic Board have also recommended the construction of this additional parking lot; and

Whereas, the Traffic Engineer has responded to specific questions presented by the Committee;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially approves the construction of additional parking spaces in the vicinity of the Convention/Exhibition Center in accordance with the recommendation of the Traffic Board and the Mayor; and

Be It Further Resolved, the plans for screening and buffering and landscaping of this overflow parking lot shall be submitted to the Committee on Public Properties for final approval within 60 days; and

Be It Finally Resolved, this matter is hereby referred to the Committee on Ways and Means for authorization of funds.

Adopted by the following vote;

Unanimously

By COUNCILMEMBER LINDEMANN:

That this resolution be substituted for one in the packet.

Carried.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY #0346

Resolved by the City Council of the City of Lansing

Whereas, acts of solicitation and prostitution are detrimental to the public health, safety and welfare in residential neighborhoods; and

Whereas, the Cherry Hill neighborhood area has been exposed to a high incidence of street prostitution and acts of solicitation; and

Whereas, the City Council has determined that closing streets to all but local traffic has the effect of deterring and decreasing incidences of street prostitution and solicitation of acts of prostitution; now, therefore

Be It Hereby Resolved that pursuant to Section 31-37.1 City Council hereby closes the following streets to all but local traffic and authorizes the establishment of appropriate barricades and signs to indicate that closure:

River Street between Kalamazoo Street and East St. Joseph Street

Hillsdale Street between South Grand Avenue and the Grand River

Adopted by the following vote:

Unanimously

By COMMITTEE ON HUMAN SERVICES & INTERGOVERNMENTAL RELATIONS #0347

Resolved by the City Council of the City of Lansing

That, the Committee on Human Services & Intergovernmental Relations interviewed Ms. Susan L. Nees at their committee meeting and concur in the confirmation of her appointment to the Human Relations Board for a term to expire in June 1989 as recommended by the Mayor.

Adopted by the following vote:

Unanimously

By COUNCILMEMBER BELEN #0348

Resolved by the City Council of the City of Lansing

Whereas, an January 14, 1985 the Personnel Rules for members of the Executive Plan and the City Council Staff were adopted to include the development and implementation of employment contracts for those employees no later than January 1, 1986, and

Whereas, there is concern regarding the wisdom of requiring employment contracts for certain employees,

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby rescinds item 'F' from the personnel rules for the Executive Plan employees and item 'H' from the personnel rules for council staff employees.

Lost by the following vote:

Yeas—Councilmembers Adado, Belen, Schmidt—3.

Nays—Councilmembers Blair, Creamer, Lindemann, Worthington—4.

By COUNCILMEMBER BELEN #0349

Resolved by the City Council of the City of Lansing

That a public hearing be set for August 12, 1985 at 7:00 P.M. in the City Council Chambers, 10th Floor, City Hall, for Special Land Use—SLU-12-85—620 Leshar Place for the establishment of corporate offices and to coordinate research and preparation of material for agricultural testing kits.

Adopted by the following vote:

Unanimously

By—COMMITTEE OF THE WHOLE #0350

Resolved by the City Council of the City of Lansing

Whereas, on July 6th, 1903 Lester L. Whitman & Eugene I. Hammond embarked on a cross country trip from San Francisco in a curved dash Oldsmobile and miraculously arrived in New York City on the eighteenth of September after overcoming tremendous obstacles and hardships including non-existent roads, no gas stations and extremes of weather, and

Whereas, on June 30th of this year three men in three curved dash Oldsmobiles embarked on cross country run which closely parallels that incredible journey of eight decades ago, and

Whereas, after five years of careful planning, Gary Hoonsbeen and Roy Bernick of Minnesota and Joseph Merli of New York began an adventure they call 'Curved Dashing Across America' to commemorate the 85th anniversary of the remarkable little single cylinder runabout which was manufactured here in Lansing from 1900 to 1906, and

Whereas, Hoonsbeen, Bernick and Merli will be 'chugging' into Lansing for an overnight stop and some celebration at the R.E. Olds Museum on Thursday, July 25th, and

Whereas, our hats are off to these modern day pioneers 'Curved Dashing Across America'

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially extends a hearty Lansing welcome to Gary Hoonsbeen, Roy Bernick and Joseph Merli, and

Be It Further Resolved on behalf of all the citizens of Lansing we congratulate you on this historic undertaking.

Adopted by the following vote:

Unanimously

By COMMITTEE OF THE WHOLE #0351

Resolved by the City Council of the City of Lansing

Whereas the 35th Annual Great Lakes Region Tour of the Veteran Motor Car Club of America will be based in Lansing from Sunday July 28th until Saturday August 3rd and,

Whereas the Veteran Motor Car Club of America is

dedicated to the preservation, restoration and driving enjoyment of antique automobiles, and

Whereas about 150 club members and their 50 to 60 vintage automobiles will be driving to various points of interest in the mid Michigan area each day and returning to the Harley Hotel in the evenings, and,

Whereas the many planned activities including a gathering at the R.E. Olds Museum on Wednesday and a 'Mystery Run' on Friday are certain to be enjoyed by one and all, now

Therefore Be It Resolved, the City Council of the City of Lansing hereby officially welcomes The Members of the Veteran Motor Car Club of America to the Lansing area for their 35th Annual Great Lakes Region Tour and

Be It Further Resolved on behalf of all the citizens of Lansing who might happen to observe these 'old car nuts' enjoying themselves around town, we wish each participant the very best and hope the tour is a great success.

Adopted by the following vote:

Unanimously

By COMMITTEE OF THE WHOLE #0352

CITY COUNCIL CITY OF LANSING

RESOLUTION APPROVING GROUND LEASE AND CONTRACT OF LEASE

At a regular meeting of the City Council, City of Lansing, Ingham, Eaton and Clinton Counties, Michigan, held on the 22nd day of July, 1985, at 7:00 o'clock, P.M., in the City Hall, Lansing, Michigan.

The following resolution was offered by Councilmember Belen, who moved its adoption, and seconded by Councilmember Adado:

Whereas, pursuant to the provisions of Act No. 31, Public Acts of Michigan, 1948 (First Extra Session), as amended ('Act 31'), the City Council of the City of Lansing has authorized and directed the incorporation of the City of Lansing Building Authority; and

Thereas, the design for (1) an extension of the North Grand Avenue parking garage and (2) a pedestrian walkway to connect the North Grand Avenue parking garage to a new hotel and exhibition hall to be acquired, constructed, furnished and equipped by the Authority on lands to be leased from the City of Lansing and in an easement adjacent to land on which a new hotel is to be constructed have been prepared and have been presented to this City Council; and

Whereas, a proposed Ground Lease between the City of Lansing and the City of Lansing Building Authority has been prepared and presented to this City Council; and

Whereas, a proposed Contract of Lease between the City of Lansing and the City of Lansing Building Authority has been prepared and presented to the City Council; and

Whereas, a Pedestrian Bridge Easement from the Economic Development Corporation of the City of Lansing to the City of Lansing Building Authority has been submitted to this City Council; and

Whereas, it is necessary and desirable for the City of Lansing to enter into both the proposed Ground Lease and the Proposed Contract of Lease with the City of Lansing Building Authority.

Now, Therefore, Be It Resolved That:

1. The Ground Lease is hereby approved and the Mayor and City Clerk are each hereby directed to execute the Ground Lease on behalf of the City of Lansing and to deliver the same to the City of Lansing Building Authority.

2. The Contract of Lease is hereby approved and the Mayor and City Clerk are each hereby directed to execute the Contract of Lease on behalf of the City of Lansing and to deliver the same to the City of Lansing Building Authority.

3. The Mayor and City Clerk shall execute and deliver as many copies of the Ground Lease and the Contract of Lease as they shall, in their discretion, deem necessary or desirable.

4. Copies of the Ground Lease, and Contract of Lease and the Pedestrian Bridge Easement this day presented to the City Council shall be attached to the minutes of this meeting and placed on file in the office of the City Clerk.

5. All resolutions and parts of resolutions insofar as they may be in conflict herewith are hereby rescinded.

By COUNCILMEMBER BLAIR—

That we strike out the additional 54 ft. on the plans on file in the City Clerk's office and leave it for future negotiation.

Adopted by the following vote;

Yeas—Councilmembers Adado, Belen, Blair, Creamer, Schmidt, Worthington

Nays—Councilmember Lindemann

The resolution as amended was

Adopted by the following vote:

Unanimously

The foregoing Resolution was adopted by the City Council of the City of Lansing, Counties of Ingham, Eaton, and Clinton, Michigan, at a regular meeting duly held on the 22nd day of July, 1985.

Rita M. Bauman
City Clerk
City of Lansing

By WAYS AND MEANS COMMITTEE

Resolved by the City Council of the City of Lansing

That the following transfers be approved:

\$184.21 from Estimated Revenues	A/C 101-000-000-160
\$184.21 to Unscheduled Maintenance	A/C 101-265-000-931
(funding for repairs to Municipal Park Concession)	

\$68,000.00 from Reserve for Contingency	A/C 101-941-000-963
\$68,000.00 to Gen. Admin.-Insurance & Bonds	A/C 101-930-000-910
(to cover cost increases in premiums for the City's general liability & umbrella coverages.)	

\$40,000.00 from Garage 1-Major Maintenance	A/C 585-571-451-931.01
40,000.00 from Garage 2-Major Maintenance	A/C 585-571-452-931.01
35,000.00 from Garage 3-Major Maintenance	A/C 585-571-453-931.01
35,000.00 from Garage 4-Major Maintenance	A/C 585-571-454-931.01
300,000.00 from Depr., Ext. & Improvement Reserve Fund	A/C 585-000-000-577

450,000.00 to Exhibition Hall Parking
(construct overflow surface parking northeast of convention Hall. Authorization to use funds is contingent upon inclusion of appropriate buffering between Riverfront Park & lot.)

The Balance in the Reserve for contingency fund after this transfer is \$528,650.00.

Recommended by:
Jan Lazar, Budget Director

I certify that this is a properly drawn and eligible transfer.

James W. Dowsett
Finance Director

Approved

JAMES D. BLAIR
PATRICK LINDEMANN
Ways and Means Committee

Adopted by the following vote:

Unanimously

By WAYS AND MEANS COMMITTEE

Resolved by the City Council of the City of Lansing

The following accounts shall have the remaining balance at year end FY 84-85 carried forward in the same amount unless otherwise specified.

Administrative Services

101-265-000-931 Project Maintenance \$61,200

Police

101-303-016-969 Forfeitures Act 251 Unexpended Balance

Fire

101-339-000-943 Equipment Rental \$154,817

Parks and Recreation

101-721-000-930 Repair and Maintenance \$2,000

101-718-000-932 Shared Maintenance Unexpended Balance

Expense

101-718-101-801.01 Professional Services Unexpended Balance

Office

101-692-000-977 Admin.-Equipment (85) \$5,000

(carry forward into 101-718-000-977 Park Div.-Equip.)

(76)

Planning and Municipal Development

101-860-000-889 Program Promotion Unexpended Balance

Human Resources

101-915-000-957 Community Beautification Program Unexpended Balance

General Administration

101-930-000-910 Insurance Unexpended Balance

101-930-000-977 Equipment Unexpended Balance

101-936-075-976 East Side Community Room Unexpended Balance

101-936-203-971 Lansing General Access Unexpended Balance

Phase I

101-936-408-974 Cemetery Road Repairs Unexpended Balance

101-936-414-971.1 South End Recreation Unexpended Balance

101-936-414-971.2 Dodge Monson Unexpended Balance

Improvements

101-936-414-971.3 Basketball Courts Unexpended Balance

101-936-414-971.4 Tennis court Resurfacing Unexpended Balance

101-936-414-971.6 Tecumseh Tennis Courts Unexpended Balance

101-936-414-971.5 Boat Launch Unexpended Balance

101-936-414-971.7 Urban Recreation Trail Unexpended Balance

101-936-416-974 Park Requisition and Development Unexpended Balance

101-936-416-974.1 Turner-Dodge Development Unexpended Balance

101-936-53-974 Cemetery Water Lines Unexpended Balance

101-936-761-974 Red Cedar Bike Link Unexpended Balance

Cemetery Fund

516-538-000-930 Repair and Maintenance \$1,480

Parking

585-555-000-977 Equipment \$13,000

585-936-453-975 N. Grand Garage Expansion Unexpended Balance

Adopted by the following vote:

Unanimously

INTRODUCTION OF ORDINANCES

The following ordinances of the City of Lansing, Michigan providing that the code of ordinances be amended by:

Revising the district maps adopted by Section 36-6 of the Code of Ordinances and to change the zoning classification for the rezoning petition

Z-17-85—620 Lesher Place to be rezoned from 'DM-3' Residential District to 'D-1' Professional Office District.

was introduced by Councilmember Belen read a first and second time by its title(s) and referred to the Committee on Physical Development

By COUNCILMAN BELEN—#0353

Resolved by the City Council of the City of Lansing

That a public hearing be set for August 12, 1985 at 7:00 P.M. in the City Council Chambers, 10th Floor, City Hall for the rezoning of Property - Z-17-85, 620 Lesher Place to be rezoned from 'DM-3' Residential District to 'D-1' Professional Office District filed by Neogen Corp.

Adopted by the following vote:

Unanimously

INTRODUCTION OF ORDINANCES

The following ordinance(s) of the City of Lansing, Michigan providing that the code of ordinances be amended by:

providing that Chapter 37A be amended by revising Sections 37-A-1, 37-A-2, 37A-5, 37A-7, 37A-13, 37A-23 and 37A-25 for the purpose of updating the soil Erosion and Sedimentation Control provisions.

was introduced by Councilman Worthington read a first and second time by its titles and referred to the Committee on General Services.

By COUNCILMAN WORTHINGTON

Resolution #0354

Resolved by the City Council of the City of Lansing:

That a public hearing be set for July 29, 1985 at 7:00 P.M. in the City Council Chambers, 10th Floor, City Hall for the Ordinance amending Chapter 37A for the purpose of updating the Soil Erosion and Sedimentation Control provision.

Adopted by the following vote:

Unanimously

By COUNCILMAN WORTHINGTON

Resolved by the City Council of the City of Lansing

That the rules of the council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

REPORT OF COMMITTEE

The Committee on General Services—

To whom was referred the ordinance Providing that subsection (c) of Section 26-23 of Chapter 26 to not take effect until January 1, 1986.

Repealing Subsection 26-23 (c) of Chapter 26 for the Retirement Benefits.

Providing that subsection (c) of Section 26-23 of Chapter 26 be amended to provide that subsection (c) benefits be limited to executive plan members who enter into written contracts of employment of definite term.

Reports as follows: That said ordinances be approved.

Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER ADADO—

That we recess for seven minutes.

Carried.

Council recessed at 9:35 p.m. and reconvened at 9:45 p.m.

Ordinances

By COUNCILMAN LINDEMANN—

The Committee reported that it had considered an ordinance providing, that the code of Ordinances, City of Lansing, Michigan be amended by:

Providing that subsection (c) of Section 26-23 of Chapter 26 to not take effect until January 1, 1986.
Repealing Subsection 26-23 (c) of Chapter 26 for the Retirement Benefits.

Providing that subsection (c) of Section 26-23 of Chapter 26 be amended to provide that subsection (c) benefits be limited to executive plan members who enter into written contracts of employment of definite term.

and recommended that the ordinances be passed.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing that subsection (c) of Section 26-23 of Chapter 26 to not take effect until January 1, 1986.

be placed on order of immediate passage.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing that subsection (c) of Section 26-23 of Chapter 26 to not take effect until January 1, 1986.

be now passed.

Lost by the following vote:

Yeas—Councilmen Adado, Belen, Lindemann, Schmidt

Nays—Councilmen Blair, Creamer, Worthington

An ordinance of the City of Lansing, Michigan, providing that subsection (c) of Section 26-23 of Chapter 26 of the code of ordinances be amended to provide that subsection (c) not take effect until January 1, 1986.

The City of Lansing Ordains:

Section 1. That Section 26-23 of Chapter 26 is amended to read as follows:

Sec. 26-23. *Same-Deferred retirement.*

(a) Should any member who has eight (8) or more years of credited service separate from the employ of the city prior to the attainment of age fifty-eight (58) years, except through retirement or death, the member shall be entitled to a retirement allowance provided in section 26-22, as the section was in force at the time of the member's separation from city employment; provided, that the member does not withdraw any accumulated contributions from the employees savings fund. The member's retirement allowance shall begin the first day of the calendar month next following the month in which the application for same is filed with the board on or after the member's attainment of age fifty-eight (58) years. During the period of the member's absence from city employment regular interest shall be credited to the member's accumulated contributions standing to the member's credit in the

employees savings fund.

(b) Should any member who has eight (8) or more years of credited service separate from the employ of the city prior to the attainment of age fifty-eight (58) years, except through retirement or death, and should the member thereafter die prior to attainment of age fifty-eight (58) years, and have a beneficiary designated at the time of death, the member's beneficiary shall be entitled to a retirement allowance provided in Section 26-22(a), as the section was in force at the time of the member's separation from city employment, provided, that the member does not withdraw any accumulated contributions from the employees savings fund. The beneficiary's retirement allowance shall begin the first day of the calendar month next following the month in which the beneficiary files an application for same with the board on or after the deceased former member would have attained age fifty-eight (58) years. During the deferral period, regular interest shall be credited to the deceased former member's accumulated contributions standing to the member's credit in the employees savings fund.

(c) If any member who has eight (8) or more years of credited service, and who either was a member of the executive pay plan of the city on February 15, 1985, or was a member of council or internal audit staff as of February 15, 1985, separates from the employ of the city prior to obtaining the age requirements set forth in section 26-21 (a), that member shall be entitled to receive upon that member's date of separation the regular age and service retirement allowance provided for in section 26-22. This subsection shall not take effect until January 1, 1986 and may be rescinded or amended at any time.

(d) Any member who had five (5) or more years of credited service and was transferred from the employ of the city to the employ of Ingham County Health Department on July 1, 1947, shall remain a member during the period employed by the Ingham County Health Department. Whenever the sum of city credited service and Ingham County credited service equals at least ten (10) years the member shall become entitled to a deferred retirement allowance computed according to section 26-22 upon the basis of the member's city credited service. In determining the member's final average compensation the compensations paid by Ingham County Health Department shall be treated as if they were paid by the city. The retirement allowance shall begin the first day of the calendar month next following the month in which the member's application for same is filed with the board on or after (1) the member's attainment of age sixty (60) years, or (2) the member's retirement from county employment, whichever is later. In the event the member withdraws all or part of the member's accumulated contributions from the employees savings fund that individual shall thereupon cease to be a member and shall forfeit all rights in and to a deferred retirement allowance provided for in this section.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by the repealing of subsection 26-23 (c) of Chapter 26 for Retirement Benefits.

be placed on order of immediate passage.

By COUNCILMAN BELEN—

Resolved by the City Council for the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by the repealing of subsection 26-23 (c) of Chapter 26 for Retirement Benefits.

be now passed.

Lost by the following vote:

Yeas—Councilmen Adado, Belen, Lindemann, Schmidt

Nays—Councilmen Blair, Creamer, Worthington

An ordinance of the City of Lansing, Michigan providing that the code of ordinances be amended to repeal subsection 26-23 (c) of Chapter 26 of the code providing for retirement benefits.

The City of Lansing Ordains:

Section 1. That Section 26-23 of Chapter 26 is amended to read as follows:

Sec. 26-23. Same-Deferred retirement.

(a) Should any member who has eight (8) or more years of credited service separate from the employ of the city prior to the attainment of age fifty-eight (58) years, except through retirement or death, the member shall be entitled to a retirement allowance provided in section 26-22, as the section was in force at the time of the member's separation from city employment; provided, that the member does not withdraw any accumulated contributions from the employees savings fund. The member's retirement allowance shall begin the first day of the calendar month next following the month in which the application for same is filed with the board on or after the member's attainment of age fifty-eight (58) years. During the period of the member's absence accumulated contributions standing to the member's credit in the employees savings fund.

(b) Should any member who has eight (8) or more years of credited service separate from the employ of the city prior to the attainment of age fifty-eight (58) years, except through retirement or death, and should the member thereafter die prior to attainment of age fifty-eight (58) years, and have a beneficiary designated at the time of death, the member's beneficiary shall be entitled to a retirement allowance provided in Section 26-22(a), as the section was in force at the time of the member's separation from city employment, provided, that the member does not withdraw any accumulated contributions from the employees savings fund. The beneficiary's retirement allowance shall begin the first day of the calendar month next following the month in which the beneficiary files an application for same with the board on or after the deceased former member would have attained age fifty-eight (58) years. During the deferral period, regular interest shall be credited to the deceased former member's accumulated contributions standing to the member's credit in the employees savings fund.

(c) Any member who had five (5) or more years of credited service and was transferred from the employ of the city to the employ of Ingham Counth Health Department on July 1, 1947, shall remain a member during the period employed by the Ingham County Health Department. Whenever the sum of city credited service and Ingham County credited service equals at least ten (10) years the member shall become entitled to a deferred retirement allowance computed according to section 26-22 upon the basis of the member's city credited service. In determining the member's final average compensation the compensations paid by Ingham County Health Department shall be treated as if they were paid by the city. The retirement allowance shall begin the first day of the calendar month next following the month in which the member's application for same is filed with the board on or after

(1) the member's attainment of age sixty (60) years, or (2) the member's retirement from county employment, whichever is later. In the event the member withdraws all or part of the member's accumulated contributions from the employees savings fund that individual shall thereupon cease to be a member and shall forfeit all rights in and to a deferred retirement allowance provided for in this section.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing that subsection (c) of Section 26-23 of Chapter 26 be amended to provide that subsection (c) benefits be limited to executive plan members who enter into written contracts of employment of definite term.

be placed on order of immediate passage.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing that subsection (c) of Section 26-23 of Chapter 26 be amended to provide that subsection (c) benefits be limited to executive plan members who enter into written contracts of employment of definite term.

be now passed.

An ordinance of the City of Lansing, Michigan providing subsection (c) of Section 26-23 of Chapter 26 of the code of ordinances be amended to provide that subsection (c) benefits be limited to executive plan members who enter into written contracts of employment of definite term.

The City of Lansing Ordains:

Section 1. That Section 26-23 of Chapter 26 is amended to read as follows:

Sec. 26-23. Same-Deferred retirement.

(a) Should any member who has eight (8) or more years of credited service separate from the employ of the city prior to the attainment of age fifty-eight (58) years, except through retirement or death, the member shall be entitled to a retirement allowance provided in section 26-22, as the section was in force at the time of the member's separation from city employment; provided, that the member does not withdraw any accumulated contributions from the employees savings fund. The member's retirement allowance shall begin the first day of the calendar month next following the month in which the application for same is filed with the board on or after the member's attainment of age fifty-eight (58) years. During the period of the member's absence from city employment regular interest shall be credited to the member's accumulated contributions standing to the member's credit in the employees savings fund.

(b) Should any member who has eight (8) or more years of credited service separate from the employ of the city prior to the attainment of age fifty-eight (58) years, except through retirement or death, and should the member thereafter die prior to attainment of age fifty-eight (58) years, and have a beneficiary designated at the time of death, the member's beneficiary shall be entitled to a retirement allowance provided in Section 26-22(a), as the section was in force at the time of the member's separation from city employment, provided,

that the member does not withdraw any accumulated contributions from the employees savings fund. The day of the calendar month next following the month in which the beneficiary files an application for same with the board on or after the deceased former member would have attained age fifty-eight (58) years. During the deferral period, regular interest shall be credited to the deceased former member's accumulated contributions standing to the member's credit in the employees savings fund.

(c) If any member who has eight (8) or more years of credited service, who enters into a written contract of employment with the city prior to January 1, 1986 which is of limited term, and who either was a member of the executive pay plan of the city on February 15, 1985, or was a member of council or internal audit staff as of February 15, 1985, separates from the employ of the city prior to obtaining the age requirements set forth in section 26-21 (a), that member shall be entitled to receive upon that member's date of separation the regular age and service retirement allowance provided for in section 26-22.

(d) Any member who had five (5) or more years of credited service and was transferred from the employ of the city to the employ of Ingham County Health Department on July 1, 1947, shall remain a member during the period employed by the Ingham County Health Department. Whenever the sum of city credited service and Ingham County credited service equals at least ten (10) years the member shall become entitled to a deferred retirement allowance computed according to section 26-22 upon the basis of the member's city credited service. In determining the member's final average compensation the compensations paid by Ingham County Health Department shall be treated as if they were paid by the city. The retirement allowance shall begin the first day of the calendar month next following the month in which the member's application for same is filed with the board on or after (1) the member's attainment of age sixty (60) years, or (2) the member's retirement from county employment, whichever is later. In the event the member withdraws all or part of the member's accumulated contributions from the employees savings fund that individual shall thereupon cease to be a member and shall forfeit all rights in and to a deferred retirement allowance provided for in this section.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMEMBER ADADO—

That we recess for 5 minutes.

Council recessed at 10:30 and reconvened at 10:37 p.m.

By COUNCILMEMBER ADADO:

That on Page 2, line 17, we delete 'Date of Separation' and add 'attaining the age of 58 years'.

Lost by the following vote:

Yeas—Councilmen Adado, Belen, Lindemann, Schmidt

Nays—Councilmen Blair, Creamer, Worthington

The ordinance as presented

Lost by the following vote:

Yeas—Councilmen Adado, Belen, Lindemann, Schmidt

Nays—Councilmen Blair, Creamer, Worthington

By COUNCILMEMBERS BELEN AND LINDEMANN

Resolved by the City Council of the City of Lansing

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

ORDINANCES

By COUNCILMAN BELEN

The Committee reported that it had considered an ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Mich. and for the revision of the district maps adopted by Section 36-6 of the code for property located at:

Z-15-85—1321 W. Holmes Rd. to be rezoned from 'A' Residential District to 'F' Commercial District.

and recommended that the ordinance be passed.

By COUNCILMEMBER BELEN

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-15-85—1321 W. Holmes Rd. to be rezoned from 'A' Residential District to 'F' Commercial District.

be placed on order of immediate passage.

By COUNCILMEMBER BELEN

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-15-85—1321 W. Holmes Rd. to be rezoned from 'A' Residential District to 'F' Commercial District.

be now passed.

Adopted by the following vote:

Unanimously

ORDINANCE NO. 2161

An ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the code of ordinances.

The City of Lansing Ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number	Z-15-85, 1321 West Holmes Road
Parcel Number	3301-32-201-263, 3301-32-201-272
Legal Description:	Beginning on the section line at a point 2021.7 feet west of the northeast corner of Section 32, T4N, R2W, City of Lansing, Ingham County, Michigan, running thence southerly 240 feet parallel with the east line of the northwest ¼ of

said Section 32; thence west 290 feet parallel with the north section line; thence northerly 240 feet parallel with the east line; thence east 290 feet on the section line to the point of beginning subject to the right-of-way of Holmes Road.

From 'A' Residential District to 'F' Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) day from its passage unless given immediate effect by the City Council

REPORTS OF COMMITTEES

The Committee on Ad Hoc Exhibition Hall Committee

To whom was referred the of construction procedures for the Exhibition Hall

reports as follows: Throughout the construction of the convention/exhibition center a bi-weekly report of any and all construction 'change orders' shall be provided by the Administration to the Ad Hoc Committee through the Council's Executive Assistant with all major changes underscored.

By COUNCILMAN LINDEMANN—

That the report of the committee be adopted

Councilmember Belen left the meeting.

Adopted by the following vote:

Unanimously

REPORTS OF COMMITTEES

The Committee on Ad Hoc Exhibition Hall Committee

To whom was referred the Mayor's memo of 7/17/85 recommending solicitation of proposals for a facilities Management Firm.

reports as follows: The Ad Hoc Committee hereby officially concurs with the Mayor's recommendation to solicit proposals for a Facilities Management Firm to coordinate the start-up of the new Exhibition Hall.

By COUNCILMEMBER LINDEMANN—

That we amend this committee report as follows—

On Line 3, delete 'operate the Civic Center during phase down and'

Councilmember Belen returned.

Adopted by the following vote:

Unanimously

the Committee Report as amended was

Adopted by the following vote:

Unanimously

By COUNCILMAN BLAIR

Resolution #0355

Resolved by the City Council of the City of Lansing

Whereas, the City of Lansing desires to encourage the full use of the South Washington Avenue Mall, and,

Whereas, Kelly's Restaurant has requested permission to use a portion of the Mall in front of their premises to seat and serve customers and

Whereas, such activity will contribute to the use, enjoyment and commerce of the Mall, now, Therefore

Be it hereby resolved that the Lansing City Council authorizes the use of a portion of the South Washington Mall by Kelly's Restaurant for service of customers subject to the following requirements:

- (1) Such use shall at no time unduly interfere with the passage of pedestrian traffic or adjacent businesses
- (2) The permission to use the Mall shall be in the nature of a revokable license for no more than 90 days.
- (3) The actual nature and area of use of the Mall shall be reviewed and approved by the city's administration.
- (4) The use shall be subject to such restrictions and requirements as the city administration deems advisable.
- (5) That this proposed use and the details thereof are reviewed by all appropriate city boards, and

Be it finally resolved, that the city is authorized to take such actions and enter into such agreements as are necessary to implement this resolution.

Adopted by the following vote:

Unanimously

By COUNCILMEMBER ADADO—

I move that we reconsider ITEM 9A again—Passage of Ordinance providing that subsection (c) of Chapter 26-23 not take effect until January 1, 1986.

Failed by the following vote:

Yeas—Councilmen Adado, Belen, Lindemann, Schmidt—4.

Nays—Councilmen Blair, Creamer, Worthington—3.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing:

That Councilman Benavides be excused from the session.

Carried.

REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT:

Mr. Boyd presented the Public Service Engineering report.

REMARKS BY THE CITY COUNCIL

Councilmember Blair remarked about the River Clean-up held last weekend.

Councilmember Lindemann asked how the plan was working regarding barricades on the city streets.

Councilmember Creamer remarked about a dead tree and a pole in the field at Ferris park.

Councilmember Schmidt asked for a report on Tennis Court repair and use for this summer.

By COUNCILMEMBER CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 11:00 P.M.

RITA M. BAUMAN
City Clerk

July 22, 1985
Lansing, Michigan

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, July 29, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

July 29, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Benavides

Pledge of allegiance.

By COUNCILMEMBER SCHMIDT—

That the Council Proceedings of June 27 (special meeting) and July 1, 1985 be approved.

Carried.

PUBLIC HEARING

July 29, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Ordinance providing that Chapter 37A be amended by revising Sections 37A-1, 37A-2, 37A-5, 37A-7, 37A-13, 37A-23 and 37A-25 for the purpose of updating the soil erosion and sedimentation control provisions.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Ordinance amendment they will have the privilege of speaking at this time.

Referred to the Committee on General Services.

PUBLIC HEARING

July 29, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed establishment of a Plant Rehabilitation District filed by Neogen Corp. for 620 Leshar Place (former Oak Park School)

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed district they will have the privilege of speaking at this time.

Referred to the Committee on Economic Development

PUBLIC HEARING

July 29, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Industrial Facilities Exemption Certificate

for Quality Dairy Co., 2100 S. Washington Ave.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed certificate they will have the privilege of speaking at this time.

Referred to the Committee on Economic Development

By COUNCILMEMBER SCHMIDT—

Resolved by the City Council of the City of Lansing

That the rules of the Council be waived for the purpose of presenting:

Robert Hull introduced Hans-Dieter Ehlers and the Youth Choir and Chamber Orchestra of Bremen, West Germany. The Choir sang for the pleasure of council members.

Mayor McKane, Council President Creamer and Mr. Ehlers exchanged gifts from each city.

By COMMITTEE OF THE WHOLE—

Resolution #0356

Resolved by the City Council of the City of Lansing

Whereas, the Jeunesses Musical (Youth Choir and Chamber Orchestra) of Bremen, West Germany will visit the City of Lansing July 27-31, 1985; and

Whereas, the Jeunesses Musical, under the able direction of Hans-Dieter Ehlers, who has visited the City of Lansing on two previous occasions; and

Whereas, the people of the City of Lansing know first hand of Jeunesses Musical's outstanding musical reputation and of their highly commendable goal of international friendship and good will through music;

Now, Therefore Be It Resolved, that the City Council of the City of Lansing joyfully welcomes back our old friends and honorary citizens and hereby declares Tuesday, July 30, 1985 as: Jeunesses Musical Day in Lansing, and

Therefore Be It Further Resolved, a copy of this resolution shall be presented to Jeunesses Musical as evidence of the high regard in which they and their friendship are held by the people of the City of Lansing.

Adopted by the following vote:

Unanimously

Mrs. Nena Bondarenko, Ingham County Fair representative, spoke and presented the City Council with baked goods, information and passes to the fair.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

No person spoke.

COMMUNICATIONS AND PETITIONS

the following applications and bonds have been filed for licenses:

Building Wrecker: Edward G. Reid
Mechanical Amusement Device: Super X Drugs, Slater's Food Store, Calhoun's Carry Out, Majik Market, Pinball Pete's.

Referred to the Committee on General Services.

Notice of intent to file claim for injuries and damages sustained by Michael R. Brooks in an automobile accident filed by Atty. Thomas M. Anderson.

Referred to the Mayor and City Attorney

Petition for rezoning Z-22-85—East Cavanaugh Rd., described as, West ½ of the NE ¼ also commencing north ¼ post; thence south 841.5 feet, west to center of Sycamore Creek, northerly along center of Creek to a point 620 feet due south of north section line, northwesterly to a point on the east line of MCRR ROW 265.5 feet south of north sec. line, northwesterly along ROW line to north sec. line, east to beg.; except commencing at section center; thence east 254.8 feet, north 825 feet, west 254.8 feet, south 825 feet to beg., Section 34, T4N, R2W, City of Lansing, Ingham County, Michigan.

to be rezoned from 'A' Residential District to 'DM-4' Residential District filed by Atty. Chris A. Bergstrom.

Referred to the Mayor and Planning Board.

Request for tentative preliminary approval of Midwood Meadow Subdivision filed by Roy Markey.

Referred to the Mayor and Planning Board

Petitions filed to construct curb and gutter and storm sewer on Daft Street from Miller Road to Hein Avenue.

Referred to the Mayor.

Thank you letter from R.E. Olds Museum Association, Inc. for improvements to Museum Drive and announcing further improvements to be made to their building.

Received and placed on file.

Letter received from Neighbors of 1219 Alsford St. regarding problems in their neighborhood.

Referred to the Mayor and Committee on Public Properties and Safety.

Department of Natural Resources submits notices re:

a. Medical Center West Condominium not being located on a floodplain area.

b. Permit for Board of Water and Light to construct a roadway in the floodplain of the Red Cedar River.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA:

Mayor McKane spoke regarding his letter 2a (Curtilage of fireworks.)

REPORTS OF COMMITTEES

The Committee on General Services—

Approves the following licenses and bonds:

Building Wrecker: Edward G. Reid
Mechanical Amusement Device: Super X Drugs, Slater's Food Store, Calhoun's Carry Out, Majik Market, Pinball Pete's.

Signed,

Sidney Worthington
 Alfreda Schmidt
 Patrick Lindemann
 Committee on General Services

By COUNCILMEMBER WORTHINGTON

That the report of the Committee be adopted
 Adopted by the following vote:

Unanimously

The COMMITTEE ON PUBLIC PROPERTIES & SAFETY

To whom was referred the Act-39-84 Re-opening of Harton Street.

Reports as follows: the committee reaffirms the City Council action of November 7th 1983 which closed Harton Street and authorized vacation of certain portions of same.

Signed,

Patrick Lindemann
 Louis Adado
 Committee on Public Properties & Safety

By COUNCILMEMBER LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously

REPORTS OF CITY OFFICERS AND BOARDS

July 25, 1985

TO: Charles Creamer - President of City Council

SUBJECT: Court/Bargaining Unit Contract

The Court wishes to advise the Council that tentative agreement has been reached between the 54-A District Court and Teamsters Local #580 on a three (3) year contract (7/1/84 through 6/30/87).

Pursuant to law, we are referring this matter to you for your review and ratification on economic issues. I will be available, along with other Court personnel, as needed to discuss this matter with those council committees deemed appropriate by yourselves.

In addition, the Judges of the Court have extended to the non-bargaining unit employees, the same fringe benefits and percentage of salary adjustment.

Respectfully submitted,

Patrick F. Cherry
 District Court Judge

Copies to;

City Council Members
 Mayor Terry J. McKane
 Personnel Director Karen Jackson
 Budget Director Jan Lazar
 City Clerk Rita Bauman
 All Judges

Referred to the Committee of the Whole.

July 24, 1985

City Council President Charles Creamer and
 Lansing City Councilmembers
 Dear President Creamer and City Councilmembers:

After a written report from, and subsequent meeting with, representatives of the Police, Fire, and Parks departments, the attached is a summation of the

activities leading to the curtailment of the fireworks display on July 4, 1985

Also, in light of the aforementioned report, the Administration does not feel we have legal grounds to withhold payment from the contractors. Because of the problems surrounding the experimental site (wind gust, etc.), further study will be given to making the site safer for the Riverfest or considering alternative sites for future fireworks displays.

Sincerely,

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 7/25/85

SUBJECT: Submission of attached correspondence from Planning & Municipal Devel. Dept.

RE: Tax Abatement Application Review

IPR-9-83(B), 2100 South Washington Ave.

IPR-4-85, 620 Leshner Place

The attached correspondence is submitted with my concurrence for your actions.

Terry J. McKane
Mayor

Referred to the Committee on Economic Development

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 7/22/85

SUBJECT: Submission of attached correspondence from Public Service Board

RE: Election of Officers

The attached Correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 7/25/85

SUBJECT: Submission of attached correspondence from Budget Director

RE: Transfer of Funds

The attached transfer requests are submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Ways and Means

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 7/25/85

SUBJECT: Submission of attached correspondence is submitted from Donna and Roger Winthrop

RE: 'Local Traffic Only' Barricades

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

RESOLUTIONS

By COMMITTEE ON GENERAL SERVICES

Resolution #0357

Resolved by the City Council of the City of Lansing

Whereas, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department, determined that the building located 528 W. Maple, Lansing Mich. legally described as:

528 West Maple, W 1/2 of S 5 Rods of W 5 rods, Lot 7 and 8, Block Subdivision of 26 & 27 Original Plat

was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Officers on May 30, 1985 at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on July 22, 1985 to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved, that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building; and

Be It Further Resolved, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within ninety (90) days from the date of this resolution; and

Be It Further Resolved, that should the owner fail to substantially comply with the Hearing Officer's order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

Be It Further Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Finally Resolved, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the

be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES

Resolution #0358

Resolved by the City Council of the City of Lansing

Whereas, the Judges of 54-A District Court have requested the City Council to approve their appointment of Krista L. Krause to the position of Magistrate; and

Whereas, Krista L. Krause is a registered elector residing in the City of Lansing;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the appointment of Krista Krause to the position of Magistrate in the 54-A District Court.

Adopted by the following vote:

Unanimously

By COMMITTEE ON PUBLIC PROPERTIES & SAFETY

Resolution #0359

Resolved by the City Council of the City of Lansing

Whereas, the Transportation Division Staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a request for traffic control at the intersection of Barnes Avenue and Beal Street;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the installation of stop signs on Barnes Avenue at Beal Street for a trial period of 90 days.

Adopted by the following vote:

Unanimously

By COMMITTEE ON PUBLIC PROPERTIES & SAFETY

Resolution #0360

Resolved by the City Council of the City of Lansing

Whereas, the Transportation Division Staff, the Traffic Board, the Mayor and the Committee on Public Properties & Safety have all recommended approval of a proposal for traffic control at the intersection of Butler Boulevard and Michigan Avenue; and

Whereas, the east leg of Michigan Avenue has been vacated to the State of Michigan and removed for the construction of a new state parking lot. The intersection is now a 'tee' intersection and stop signs are currently installed for northbound and southbound traffic on Butler Boulevard;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the installation of a stop sign on Michigan Avenue at Butler Boulevard; and

Be It Further Resolved, the Lansing City Council hereby approves the removal of stop signs on Butler Blvd at Michigan Avenue.

Adopted by the following vote:

Unanimously

By COMMITTEE ON PUBLIC PROPERTIES & SAFETY

Resolution #0361

Resolved by the City Council of the City of Lansing

Whereas, the Traffic, Public Service and Planning Boards have all recommended declassification of three streets to alleys for the purpose of paving without necessitating the construction of curbs, gutters and other improvements; and

Whereas, the Committee on Public Properties and Safety felt a public hearing on this matter would be appropriate;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby sets a public hearing on Monday, August 5th at 7:00 p.m. in the 10th Floor Council Chambers for the purpose of getting public input on declassification of the following streets to alleys:

1. Edgewood Court from Daleford St. to Englewood Ct.
2. Englewood Court from Chicago St. to Wisconsin St.
3. Summerville Ave. from Oakland to Englewood Ct.

Adopted by the following vote:

Unanimously

By COMMITTEE ON PUBLIC PROPERTIES & SAFETY

Resolution #0362

Resolved by the City Council of the City of Lansing

Whereas, the Transportation Division Staff, the Traffic Board, the Mayor and the Committee on Public Properties & Safety have all recommended permanent approval of a request for traffic control at the intersection of Christiansen Street and Hillcrest Street;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the permanent installation of four way stop signs at Christensen Street and Hillcrest Street.

Adopted by the following vote:

Unanimously

By COMMITTEE ON PUBLIC PROPERTIES & SAFETY

Resolution #0363

Resolved by the City Council of the City of Lansing

Whereas, the Transportation Division Staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all reviewed a request for handicapped parking regulations on Michigan Avenue in the area of the Corr Building (200 Block of E. Michigan Avenue).

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the following:

1. The City recommend to the owners of the Corr Building that the rear entrance to the building be modified to allow for proper handicapper access.
2. After receipt of a written agreement by the owners of the Corr Building to modify the rear entrance, the City will install one handicapped parking space on the south side of Michigan Avenue in front of the Corr Building at the sidewalk ramp. The space will be in use for a maximum time of six months or until the rear entrance is modified, whichever, comes first.
3. Due to the future construction of the Convention Center and the fact that parking is prohibited on a bridge, the request for the other two handicapped spaces is denied.

Adopted by the following vote:

Unanimously

By COUNCILMEMBER ADADO—

Resolution #0364

Resolved by the City Council of the City of Lansing

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-7-85, on property at 6272 South Logan; and

Whereas, Action Auto, Inc., has applied for a Commercial Facilities Exemption Certificate for construction of a new facility at 6272 South Logan; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on Action Auto's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-7-85; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) Floor of Lansing City Hall on Monday, August 19, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously

By COUNCILMEMBER ADADO—

That Councilmember Blair be excused from voting on this issue.

Carried.

By COUNCILMEMBER ADADO—

Resolution #0365

Resolved by the City Council of the City of Lansing

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District CRD—8—85, proposed by Lyons Savings and Loan Association for 111 S. Capitol Avenue and more particularly described as:

Lots 4 and 5 and the West 22 feet of Lot 3, also part of vacated S. Capitol Avenue described as; Commencing at the Southwest corner of Lot 5, thence West 9 feet; thence North 61.166 feet; thence East 9 feet; thence South 61.166 feet to the point of beginning, Block 110, Original Plat of the City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof,

The North 114.125 feet of the West ½ of the East 2/3 of Lot 3, Block 110, Original Plat of the City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof,

The North 114.125 feet of the East 1/3 of Lot 3 and the South 22 feet of the East 2/3 of Lot 3, Block 110, Original Plat of the City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District;

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 19th day of August 1985, at 7:00 p.m., and the notice of such hearing be published in a publication of general circulation in said City.

Adopted by the following vote:

Unanimously

By COUNCILMEMBER BELEN—

Resolution #0366

Resolved by the City Council of the City of Lansing

That a public hearing be held on August 19, 1985 at 7:00 p.m. in the City Council Chambers, 10th Floor, City Hall, for SLU-8-85, 900 Holten to be used as a proposed Foster Care Facility.

Adopted by the following vote:

Unanimously

By COUNCILMEMBER BELEN—

Resolution #0367

Resolved by the City Council of the City of Lansing

That a public hearing be held on August 19, 1985 at 7:00 p.m. in the City Council Chambers, 10th Floor, City Hall, for SLU-11-85, 3600 Blk. W. Jolly Rd. to be used as a proposed church.

Adopted by the following vote:

Unanimously

INTRODUCTION OF ORDINANCES

The following ordinances of the City of Lansing, Michigan providing that the code or ordinances be amended by:

Providing for the amendment of Article I of Chapter 16 of the Code by adding section 16-3.2 to provide for the enforcement of Articles I, II and IIA of Chapter 16.

Was introduced by Councilmember Lindemann read a first and second time by its titles and referred to the Committee on Public Properties and Safety

By COUNCILMEMBER LINDEMANN—

Resolution #0368

Resolved by the City Council of the City of Lansing

That a hearing be set for Monday, August 12, 1985 at 7:00 p.m. in the Council Chambers, 10th Floor, City Hall, for the ordinance providing for the amendment of Article I of Chapter 16 of the Code of Ordinances for the City of Lansing by adding section 16-3.2 to provide for the enforcement of Articles I, II, IIA of Chapter 16.

Adopted by the following vote:

Unanimously

INTRODUCTION OF ORDINANCES

The following ordinances of the City of Lansing, Michigan providing that the code of ordinances be amended by:

Providing that Chapter 36 be amended by revising Section 36-12.2 for the purpose of expanding the duties of the Board of Zoning appeals to handle variances for widening driveways and establishing certain paved parking areas.

Was introduced by Councilmember Belen read a first and second time by its titles and referred to the Committee on Physical Development

By COUNCILMEMBER BELEN—

RITA BAUMAN,
City Clerk

Resolution #0369

July 29, 1985

Resolved by the City Council of the City of Lansing

Lansing, Michigan

That a public hearing be set for Monday, August 19, 1985 at 7:00 p.m. in the Council Chambers, 10th Floor, City Hall for the Ordinance providing that Chapter 36 be Amended by revising Section 36-12.2 for the purpose of expanding the duties of the Board of Zoning Appeals to handle variances for widening driveways and establishing certain paved parking areas.

Adopted by the following vote:

Unanimously

By COUNCILMEMBER SCHMIDT—

Resolved by the City Council of the City of Lansing

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter and petitions received from residents on Lowcroft Street regarding traffic situation on their street.

Referred to the Mayor and Traffic Board.

REMARKS BY THE MAYOR

Update on the North Grand parking Ramp, Pump Station work, Waverly Road construction of sewer, interceptor sewers, Public Service Projects and street closings due to construction.

REMARKS BY THE CITY COUNCIL:

Councilmember Benavides spoke of problems with traffic cutting through Glenbrook Subdivision and commented on fireworks.

Councilmember Adado spoke regarding construction traffic and problems in Lyons St. School area.

Councilmember Schmidt remarked about film of Public Service Dept. showing projects under construction throughout the city which will be aired on Channel 28 this week; also about memo from Police Chief to Mayor regarding 911 System Change Recommendations.

Councilmember Creamer thanked Fire Dept. for quick action and help for fuel oil leak in his basement. Also announced softball game at 4 p.m. on August 18th between the Ingham Co. Commissioners and City with proceeds to Arthritis Foundation.

Councilmember Blair inquired as to status of request of Orchard Ct. residents regarding their parking problem submitted a couple months ago.

Merl Lemon, 1803 Linval St., spoke regarding Exhibition Center, Civic Center, Personnel Ordinance recently passed and pensions.

Sonja Terzian, 2424 Hanover Dr., owner of Oade's Party Store spoke regarding Clippert and Kalamazoo Street both being closed for repairs and no one can get to their business.

Beverly Miller, North Lansing, spoke regarding toxic waste disposal in their area from Barrels, Inc.

By COUNCILMEMBER CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:10 P.M.

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

350

Proceedings, August 5, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

August 5, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by Vice President Benavides.

Present: Councilmembers Adado, Belen, Benavides, Blair, Lindemann, Schmidt, Worthington—7.

Absent: Creamer—I.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Schmidt

Pledge of allegiance.

By COUNCILMEMBER SCHMIDT—

That the Council Proceedings of July 8 and 15, 1985 be approved.

Carried.

PUBLIC HEARING

August 5, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed amended Tax Increment Financing Plan for the Tax Increment Finance Authority of the City of Lansing for the Capitol Common Phase II Acquisition Project:

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed tax increment financing plan they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

August 5, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed make-safe or demolish property at 301 S. Larch St.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed make-safe or demolish property they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on General Services.

August 5, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed declassification of streets to alleys:

Edgewood Ct. from Daleford St. to Englewood Ct.

Englewood Ct. from Chicago St. to Wisconsin St.
Summerfield Ave. from Oakland Ave. to Englewood Ct.

The Council Vice President announced that if there is anyone present who has any suggestions or objections to make to the proposed declassification they will have the privilege of speaking at this time.

Speakers against the change were:
Bernard John Martiny, 749 Wisconsin
Sandra Pych, 745 Wisconsin
Gary Manthei, 921 W. Oakland

Referred to the Committee on Public Properties and Safety.

REVIEWING ASSESSMENT ROLLS
No. 297

This is the time set for hearing appeals on the special assessment roll for storm sewer & curb and gutter on All lands fronting on Christiansen Rd. from Reo Rd. to Pierce Rd. excepting all public streets and alleys and other lands deemed not benefited.

Randolph Scott, 4316 Christiansen, spoke, presented petitions in opposition.

Virginia Mitchell, 4408 Christiansen.

Mary Hartford, 4314 Christiansen - all were opposed.

This is the time set for hearing appeals on the special assessment roll for curb and gutter on all lands fronting on Southfield Ave. from Daft St. to Yunker St. excepting all public streets and alleys and other lands deemed not benefited.

Marcia Johnson, 1112 Southfield spoke in opposition.

This is the time set for hearing appeals on the special assessment roll for curb and gutter and necessary storm sewer on all lands fronting on Ingham Street from Holmes Rd. to Fauna Ave. excepting all public streets and alleys and other lands deemed not benefited.

Gary Cebrell, 3301 Ingham St., spoke in opposition.

This is the time set for hearing appeals on the special assessment roll for curb and gutter and necessary storm sewer for Coulson Court from Miller Road north to the southline of Lancel Village No. 3 excepting all public streets and alleys and other lands deemed not benefited.

Brian D. Allen, 6020 Coulson Ct. spoke in opposition.

This is the time set for hearing appeals on the special assessment roll for curb and gutter and necessary storm sewer for all lands fronting on Dunlap St. from Viking St. to Ingham Street excepting all public streets and alleys and other lands deemed not benefited.

Mark Fisher, 2805 Dunlap St.

This is the time set for hearing appeals on the special assessment roll for Parks Dept. properties, curb and gutter, street improvements, etc. for Parks Department

property within Mr. Hope Cemetery and on E. Shiawassee St. abutting Parks Department Field Office parking area.

All were referred to the Committee on Physical Development.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Mrs. Kenneth Ruff, 814 Bates St., spoke regarding Communication #6.

By COUNCILMEMBER ADADO—

I move that Resolution #1 be considered at this time and we observe a moment of silent prayer in honor of Police Officer Dean Allen Whitehead.

Carried.

By COMMITTEE OF THE WHOLE—

Resolution #0370

Resolved by the City Council of the City of Lansing

Whereas, Lansing Police Officer Dean Allen Whitehead was struck down in the service of this community of May 9th, 1985; and

Whereas, at only 30 years of age he had been a member of the Force since November of 1977; and

Whereas, he was working as an observer on routine helicopter patrol when he and his partner spotted a motorhome fire on I-96 and called for fire apparatus to be dispatched; and

Whereas, after hovering at the scene until the Fire Department arrived, they started to depart when blades of the helicopter caught a power line causing the aircraft to go down, setting the stage for the tragic accident.

Now, Therefore, Be It Resolved the City Council of the City of Lansing hereby officially salutes the life of Dean Allen Whitehead and acknowledges his outstanding service to this community, and

Be It Finally Resolved on behalf of all the citizens of Lansing we express our deepest sympathy to Dean's wife Connie and his many close relatives and friends.

Adopted by the following vote:

Unanimously.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for Licenses:

Peddler: Stuart Kaylor
Mechanical Amusement Device: Mac's Saloon, M-9 Party Store, 76 Market and Milo's Taverna
Sign Erector: Chapman Sign, Inc.
Circus: Toby Tyler 3-ring Circus

Referred to the Committee on General Services

Petition filed for re-zoning of property Z-23-85—426 E. Northrup described as,

Parcel B: Beginning S 00°54'51"W 198.00 feet from a point on the E-W 1/4 line which is N89°04'42"W 98.00 feet from the north 1/8 post of the SE 1/4 of Section 4, T3N, R2W, City of Lansing, Ingham County, Michigan, said north 1/8 post being S89°04'42"E 184.43 feet to the westerly right of way line of Cedar Street (formerly Hwy. US-27); thence Northwesterly

49.18 feet along Cedar Street on a 5772.65' radius curve to the right whose central angle is 00° 29' 17" and whose chord bears N 16° 11' 09" W 49.18'; thence N 89° 04' 42" W 169.97' to the point of beginning, according to the recorded Certified Survey Map thereof.

Parcel D: Commencing at the North 1/8 post of the Southeast 1/4 of Section 4, T3N, R2W, City of Lansing, Ingham County, Michigan, thence West 98 feet, thence South 198 feet, thence East 171.5 feet parallel with the East and West 1/4 line to the Westerly line of Cedar Street of US Highway No. 27, thence Northwesterly along the Westerly line of Cedar Street, or US Highway No. 27, thence Northwesterly along the Westerly line of Cedar Street, on curve of Radius of 2908 feet, a distance of 207.9 feet, the bearing of the long chord in North 16°28' West, thence West 15 feet to the point of beginning.

Parcel E: Commencing at a point 98 feet West of the North 1/8 post of the Southeast 1/4 of Section 4, Town 3 North Range 2 West City of Lansing, Ingham County, Michigan, thence West 90 feet on the 1/4 line, thence South 198 feet, thence East 90 feet, thence North 198 feet to the point of beginning.

to be rezoned from 'E-1' Apartment Shop District to 'E-2' Local Shopping District filed by Action Auto, Inc.

Referred to the Mayor and Planning Board.

Michigan Job Development Authority submits project plan and resolution for Everett Plaza Associates, a Michigan Partnership, 406 E. Holmes Rd.

Referred to the Mayor and the Planning Board.

Michigan Municipal League submits copy of Federal Fair Labor Standards Act (FLSA) and notice of dates for two training workshops.

Referred to the Mayor and City Attorney.

American G.I. Forum Women—Lansing Chapter announces First Annual Mercado Del Norte Festival to be held August 17, 1985 and requests use of Showmobile from Parks and Recreation Dept.

Referred to the Mayor.

Mrs. Kenneth Ruff, 814 Bates St., submits letter from her son, Kenny, regarding transportation of gasses by tanker trucks through city.

Referred to the Mayor.

Letter from Riverfest Committee requesting permission for sale of beer and wine at Riverfront Park August 30, 31, Sept. 1 and 2, 1985.

Received and filed (Resolution on agenda).

Michigan Department of Natural Resources submits permits re:

a. Construction within the Red Cedar River for Earl Berringer, 1506 Clifton.

b. Placement of fill dirt within the Grand River Floodplain by Ralph Ramsdill, Grand Lodge, MI.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA:

Mayor McKane presented proclamation for "National Night Out" to Police Officers Dennis Shaw and Robert Jones. Both spoke regarding the Neighborhood Watch Program.

PROCLAMATION

Whereas, the National Town Watch Association is sponsoring a special, coast-to-coast community crime prevention project on the evening of August 13, 1985, called "National Night Out", and

Whereas, The Neighborhood Watch Program plays an essential role assisting the Lansing Police Department through its cooperative crime prevention efforts in Lansing and is supporting "National Night Out", and

Whereas, it is important that all citizens in Lansing be aware of the importance of crime prevention programs and the positive impact that their participation can have on reducing crime in our neighborhoods, and

Whereas, "National Night Out" provides an opportunity for Lansing to join hundreds of other communities across the country in support of safer neighborhoods and to demonstrate the success of cooperative crime prevention efforts, and

Whereas, neighborhood spirit and cooperation is the theme of the "National Night Out" project and is also the key ingredient in helping the Lansing Police Department to fight crime.

Now, Therefore, I, Terry J. McKane, Mayor of the City of Lansing, by the power vested in me, do hereby proclaim Tuesday, August 13, 1985, as "National Night Out" and urge all citizens of this community to join with me and the National Town Watch Association in supporting this event.

Given under my hand and the Seal of the City this twenty-ninth day of July in the year of our Lord one thousand nine hundred and eighty-five.

Terry J. McKane
Mayor

REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following license and bonds:

Peddler: Stuart Kaylor
Mechanical Amusement Device: Mac's Saloon, M-9
Party Store, 76 Market and Milo's Taverna
Sign Erector: Chapman Sign, Inc.
Circus: Toby Tyler 3-ring Circus

Signed,

Sidney Worthington
Alfreda Schmidt
Committee on General Services

By COUNCILMEMBER WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON 911 EXECUTIVE BOARD—

To whom was referred the Enhanced 911 System Concept, reports as follows:

Your representative to the 911 Executive Board voted in favor of a motion to approve the Enhanced 911 System concept, which includes decentralization of dispatching. The motion (see attached minutes) carried unanimously. We recommend that this matter be referred to the Committee on Public Properties and Safety and the Committee on Human Services and Inter-Governmental Relations.

Signed,

Alfreda Schmidt
Tony Benavides
Committee on 911 Executive Board

By COUNCILMEMBERS SCHMIDT AND BENAVIDES—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

July 24, 1985

President Charles Creamer and
Members of City Council

RE: Claim of Hazel Huddleston in the amount of \$139.00.

Dear President Creamer and
Members of City Council:

Mrs. Hazel Huddleston, 200 Friendship Circle, #315, Lansing, has submitted a claim for payment of charges incurred as a result of ambulance transportation by Lansing Mercy Ambulance Service, Inc. on January 17, 1985. Mrs. Huddleston claims, and this office has confirmed, that on January 17, 1985, a medical emergency was about to occur at 200 Friendship Circle, #315, 911 was dialed, and an ambulance was requested. The 911 dispatch center was not fully advised at that time of the emergency nature of the call, rather the center was informed that Mrs. Huddleston required transportation for a hospital readmission due to complications arising from a recent surgery. It appears that a Fire Department ambulance would have been dispatched had the 911 dispatch center been more fully advised as to the emergency nature of the call.

The City Charter authorizes the Fire Department to maintain and operate such ambulance and emergency services as the welfare of Lansing citizens may require and as the City Council may direct. It has been the policy of the City, thereunder, to provide or pay for ambulance services in all emergency situations. In light of the above facts and in consideration of City policy, it is the recommendation of this office that the instant claim be paid.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER ADADO—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of \$139.00 payable to Lansing Mercy Ambulance Co.

Carried.

July 22, 1985

President Charles Creamer and
Members of City Council

RE: Claim of Harvey F. Clarizio.

Dear President Creamer and
Members of City Council:

Claimant has requested reimbursement for damage to doors, frames, and locks which he claims were damaged beyond repair when the Lansing Police Department entered claimant's rental property at 619 S. Pine Street on April 10, 1985. Claimant has submitted estimates for repairs in the amount of \$865.64 and \$688.84.

Investigation revealed that the Tri-County Metro Narcotics Squad executed a search warrant on the claimant's property on April 10, 1985. The warrant was

issued by 54-A District Judge Charles Filice and ordered the seizure of heroin, cocaine, weapons and drug paraphernalia.

The front door to the premises was rammed to afford entry because the occupants refused admittance. No other door was forced since all were either open or unlocked. Seven and 1/4 grams of heroin, three grams of cocaine, a .12 gauge shotgun and \$825.00 in U.S. currency were seized and nine persons were arrested.

The same premises was subject to a similar search in September of 1984 when heroin, cocaine and \$1,004.00 in U.S. currency were seized. Additionally, during 1984 alone there were fifteen incidents of criminal activity on the premises of 619 S. Pine Street.

189 PA 1966, as cited at MCLA 780.656 authorizes an "officer to whom a search warrant is directed...to break any...door or window...in order to execute the warrant, if, after notice of his authority and purpose, he is refused admittance..." Since the breaking of the front door is specifically authorized by statute, liability for the damage resulting would clearly be subject to immunity. *Ross, v. Consumers Power*, 415 Mich-1 (1982).

Based on the above facts, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER ADADO—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

DATE: 7-31-85

TO: President Creamer and Members, Lansing City Council

FROM: Police Chief Richard Gleason

SUBJECT: Parade Application - Capitol Lodge #8

Attached is an application for a parade permit from the above-mentioned organization, scheduled for 1:30 p.m. on Sunday, September 15, 1985, which has been approved by all the necessary departments.

Our personnel estimate this will cost the City a total of \$42.46, which represents two officers and two vehicles for one hour.

This is being sent to you for final action.

By COUNCILMEMBER SCHMIDT—

That we concur in the recommendation of the Police Chief and the parade permit for Capitol Lodge #8 be approved for September 15, 1985.

Carried.

July 23, 1985

Council President Creamer and City Councilmembers

Dear President Creamer and City Councilmembers:

Enclosed please find a copy of the 1984-1985 Chairman's Report of the Lansing Senior Center Advisory Board submitted by Mr. Wilbur Myers. Attached to this report you will also find a copy of the Lansing Senior Center Statistical-Fiscal Year-End Report submitted by Barbara Judge, Director of the Lansing Senior Center.

If you should have any questions after reviewing this material, please don't hesitate to contact me at 483-4077.

I would be happy to assist you in any way I can.

Sincerely,

Debbie Walker, Secretary
Lansing Senior Center

Received and placed on file, with copy to Human Services and Intergovernmental Relations Committee.

DATE: 7/29/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Public Service Board.

RE: Recommended decertification of City Streets to Public Alleys.

The attached recommendations are submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 7/26/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Board of Water and Light.

RE: Six Year Capital Expenditure Forecast.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

DATE: 7/29/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Public Service Board.

RE: Vacated South Pennsylvania Court.

The attached recommendation is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 7/29/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Building Safety.

RE: Trash Removal Assessment U-29 December 1985 Tax Roll \$5,335.50.

The attached trash removal assessments are submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER ADADO—

That we concur in the recommendation of the Mayor and the Trash Removal Assessment in the amount of \$5,335.50 be placed on the December 1985 Tax Roll U-29.

Carried.

DATE: 7/31/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Finance Director.

RE: Transfer of Funds.

The attached requests are submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Ways and Means.

RESOLUTIONS

By COMMITTEE ON GENERAL SERVICES—

Resolution #0371

Resolved by the City Council of the City of Lansing:

Whereas, the Riverfest Committee has requested permission to sell beer and wine for consumption in Riverfront Park during Riverfest '85, which is scheduled for Friday, Aug. 30 through Monday, Sept. 2, 1985, and

Whereas, the Riverfest Committee has been meeting with representatives from appropriate City departments to satisfy all requirements.

Now, Therefore, Be It Resolved the City Council of the City of Lansing hereby approves the request from the Riverfest Committee for permission to sell beer and wine for consumption in Riverfront Park during the period from Friday, August 30 through Monday, September 2, 1985, provided all necessary administrative actions are completed without objections.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolution #0372

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Building Safety Division of the Department of Planning and Municipal Development, determined that the building located at 528 W. Maple Street, legally described as: The W ½ of S 5 Rods of W 5 Rods, Lot 7 and 8, Block B Subdivision of 26 and 27 Original Plat,

was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan, and

Whereas, a hearing was held by the Hearing Officers on May 30, 1985, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe and

Whereas, said Hearing Officers filed a report of their

findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan, and

Whereas, the City Council scheduled a hearing on July 22, 1985 to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe.

Now Therefore Be It Resolved, that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building, and

Be It Further Resolved, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution, and

Be It Further Resolved, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building, and

Be It Further Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located, and

Be It Finally Resolved, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolution #0373

Resolved by the City Council of the City of Lansing:

Whereas, Mr. Jack Breslin has recently retired as Vice President of Michigan State University to serve as a consultant to MSU, and

Whereas, Mr. Breslin's association with the University began as an outstanding student-athlete in 1941, and

Whereas, after graduation, Mr. Breslin commenced a career with the University under President John Hannah, that would encompass five presidents' tenures, serving in various administrative positions through which Jack's leadership ability and pride in serving the University resulted in his recognition as "Mr. MSU" to state and local governmental officials, and alumni groups, and

Whereas, Jack's continual support for "Spartan" athletics was instrumental in MSU's development of a major collegiate athletic program.

Now, Therefore, Be It Resolved the City Council of the City of Lansing hereby acknowledges Jack's lifetime of service to the University and the Lansing area community, and

Be It Further Resolved, that the Lansing City Council petitions the Michigan State University Board

of Trustees to join the Council in this tribute to Jack Breslin by naming the new indoor football practice facility, in his honor.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, Local #580 Teamsters employed by the 54-A District Court have bargained collectively and agreed upon a contract for the period July 1, 1984 to June 30, 1987, and

Whereas, the Court employees continue to contribute to the pension fund from their salaries, and

Whereas, they have bargained for a modified sick and accident insurance coverage in lieu of having pension benefits funded entirely by the City, and

Whereas, the City Council has been duly informed of the results of said contract negotiations, and

Whereas, funds are available including reserves for the labor settlement.

Now, Therefore, Be It Resolved the City Council of the City of Lansing as Control Unit for the District hereby concurs with the terms of the negotiated contract between the 54-A District Court and the Teamsters Local #580, and

Be It Further Resolved, the Budget Director is hereby authorized to make administrative transfers as necessary to implement said labor agreement.

By COUNCILMEMBER BELEN—

That this resolution be sent back to the Committee of the Whole.

Carried.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$4,805.00 from Reserve for Contingency A/C 101-941-000-963
\$4,805.00 to Police Neighborhood Watch Grant Match. (To provide matching funds for federal grant for the Neighborhood Watch Program. Grant to come back to Council for final approval.) A/C 101-305-000-881

The balance in the Reserve for Contingency Fund after this transfer is \$502,150.00

Recommended by
Jan Lazar, Budget Director

I hereby certify that this is a properly drawn and eligible transfer.

James W. Dowsett
Finance Director

Approved:
James Blair
Tony Benavides
Ways and Means Committee

Adopted by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Lindemann, Schmidt, Worthington—6.

NAYS: Blair—1.

By COUNCILMEMBER ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

By COMMITTEE OF THE WHOLE—

Resolution #0374

Resolved by the City Council of the City of Lansing:

Whereas, Jeugdharmonie Bureske of Belgium visited the City of Lansing August 8-12, 1985, and

Whereas, Jeugdharmonie Bureske, under the direction of Jose' Deryckere, demonstrated outstanding musical abilities and a highly commendable commitment to the goals of international friendship and understanding through the international language of music.

Now, Therefore, Be It Resolved, Jeugdharmonie Bureske be congratulated and honored for the exemplary manner in which they have achieved musical excellence and international friendship and goodwill, and

Be It Further Resolved, that a copy of this resolution be presented to Jeugdharmonie Bureske as evidence of the high regard in which they are held by the people of the City of Lansing.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER SCHMIDT—

That Councilmember Creamer be excused from this session.

Carried.

REMARKS BY THE MAYOR

Report regarding:

Street paving update.

Sewer work and drain interceptor work.

North Grand Parking Ramp Extension will start soon.

Ten Streets will be closed at various times in City this week due to construction projects.

Announced that a wind shear alert system for Airport would be installed later this year.

REMARKS BY THE CITY COUNCIL

Councilmember Adado announced that the Economic Development Committee meeting was rescheduled for 8:30 a.m. Thursday.

Councilmember Lindemann introduced a Finnish exchange student who will be a guest at his home for a year.

Councilmember Belen announced that Physical Development Committee would not meet this week.

Councilmember Worthington remarked about Arts Council wanting to share time on Channel 28.

Andrew Goldstein, attorney for City workers, announced the start of a referendum petition drive to repeal Section 26-23 (c) of the General Employee Retirement System Ordinance.

Mark Lemon, 1803 Linval St., spoke regarding the Retirement Ordinance and questioned the operating cost for the new Exhibition Center and disposition of present Civic Center property.

By COUNCILMEMBER BENAVIDES—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:42 P.M.

RUTH WARD,
Deputy City Clerk

August 5, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

357

Proceedings, August 12, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

August 12, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Schmidt, Worthington—7.

Absent: Councilmember Lindemann.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Benavides.

Pledge of allegiance.

By COUNCILMEMBER SCHMIDT—

That the Council Proceedings of July 22, 1985 be approved.

Carried.

HEARING ON PROPOSED CHANGE IN ZONING CLASSIFICATION

August 12, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983, said proposed amendment being as follows:

That the property described as: Z-17-85 - 620 Leshner Place to be rezoned from "DM-3" Residential District to "D-1" Professional Office District.

The Council President announced that if there is anyone present who has any suggestions or objections to make to the proposed changes in the Classifications as provided for in the Zoning Code they have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Physical Development.

PUBLIC HEARING

August 12, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Special Land Use - SLU-12-85, 620 Leshner Place for the establishment of corporate offices and to coordinate research and preparation of material for agricultural testing kits.

The Council President announced that if there is anyone present who has any suggestions or objections to make to the proposed special land use they have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Physical Development.

PUBLIC HEARING

August 12, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed ordinance to amend Article I of Chapter 16 by adding Section 16-3.2 to provide for the enforcement of Articles I, II, and IIA of Chapter 16.

The Council President announced that if there is anyone present who has any suggestions or objections to make to the proposed ordinance amendment they have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Public Properties and Safety.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Carol McDaniels, 4248 Glenburne Blvd. spoke on Communication #5 in regard to the placement of a Yield or Stop sign at the intersection of Glenburne and Chadburne Streets.

Mary Haney spoke on Communication #8 in regard to the expansion of a closed in patio on west side of building at 401 East Grand River Ave.

Mr. Lopez, member of the Mercado Del Norte Festival, spoke in regard to the first annual celebration.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

Pool Room: West Side Recreation.

Cabaret: Kelly's Downtown Restaurant/Lounge.

Automobile Wrecker: Bill & Charlie's Automotive Repair, Harry's Automotive.

Referred to the Committee on General Services.

Judgement filed in Circuit Court for the County of Ingham in the matter of the petition of Brian Kuchik, Treasurer of the City of Lansing for and in behalf of said City, for striking certain personal property taxes from the tax roll.

Referred to the Mayor.

Request from Nicholas Limber of Capital Laundry and Cleaners for the rescheduling of the public hearing with regards to property at 2000 W. Saginaw St. (this is scheduled for the 19th of August to make safe or demolish).

Referred to the Committee on General Services.

Petitions filed for the construction of a Sanitary Sewer on Walker Street from Sheridan Road south approximately 600 feet.

Referred to the Mayor and the Committee on Physical Development.

Request from Carol McDaniels requesting the placement of a "Yield" or "Stop" sign at the corner of Glenburne and Chadburne Streets.

Referred to the Mayor and the Traffic Board.

Request from residents of Moffitt St. requesting that a "Stop" sign be placed at the corner of Moffitt St. and Hughes Rd.

Referred to the Mayor and Traffic Board.

Copy of a letter from the Water Management Division of the State that was sent to the Planning Department in regard to rezoning of property located north of Cavanaugh Rd. for the proposed development of an apartment or condominium complex.

Received and placed on file.

Letter from Mary Haney requesting permission for the expansion of a closed in patio on the west side of the building (Buck and Mary's) at 401 East Grand River Ave.

Referred to the Mayor, and that the City Council notify Mary Haney when a recommendation is made.

MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:

Cleophus Boyd, the Mayor's Executive Assistant, spoke in regard to the Mayor's letter 2a - the Borderline Fun Fest.

REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

Pool Room: West Side Recreation.
Cabaret: Kelly's Downtown Restaurant/Lounge.
Automobile Wrecker: Bill & Charlie's Automotive Repair, Harry's Automotive.

Signed,

Sidney Worthington
Alfreda Schmidt
Charles Creamer
Committee on General Services

By COUNCILMEMBER SCHMIDT—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORT OF COMMITTEE

The COMMITTEE ON PHYSICAL DEVELOPMENT—

To whom was referred the rezoning petition Z-17-85, 620 Leshar Place to be rezoned from "DM-3" Residential District to "D-1" Professional Office District.

Signed,

Lucile Belen
Charles Creamer
Tony Benavides

Referred to the Committee on Physical Development

By COUNCILMEMBER BELEN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

The City Attorney's letter 1a in regard to the claim of Matthew John Bradstreet was pulled from the agenda.

August 6, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Donna J. Flermoen in the amount of \$20.00.

Dear President Creamer
and Members of City Council:

On April 1, 1985, Donna Flermoen submitted a claim for \$20.00 reimbursement for a road service charge. Claimant states that on February 22, 1985, her right front tire became stuck in a sinkhole on South Fairview Street. A wrecker was called to remove the vehicle. Claimant states a report was filed with the Roads Department on the same day regarding the sinkhole.

A review of Departmental records by the City Engineer's office indicates that a complaint was received on April 18, 1985 concerning miscellaneous surface maintenance at 325 South Fairview. Necessary repairs were completed on the same day that the complaint was received. They indicate that there were no complaints received prior to that date.

Michigan law states that a municipality cannot be held liable for damages caused by defective roadways unless such municipality had prior notice of the defect and had a reasonable time to repair the defect. MCLA 691.1403.

Based upon the information submitted, it is the recommendation of this office that the claim be denied on the basis of the above law.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

The City Attorney's letter 1c in regard to the claim of Richard C. Helgren was discussed and then referred back to the Committee of the Whole.

August 8, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Margaret and Dan Beard in the amount of \$915.00.

Dear President Creamer
and Members of City Council:

On June 17, 1985, the Lansing City Council received a claim from Mr. and Mrs. Dan Beard in the amount of \$915.00 for personal injuries and damages to their automobile which they allege were caused by a defect in the roadway at the intersection of Waverly and West Willow Roads. They allege that the approximate cause of the accident was a defect in the roadway at the

Southeast corner of that intersection.

Regardless of the merit of the Beards' claim, examination of a City map by this office indicates that the Southeast corner of the Waverly/West Willow Road intersection is not within the City limits of the City of Lansing. Instead, it appears that the corner is in Lansing Township and that the obligation to maintain that corner would be that of either the Township or the County Road Commission.

Based on the above, it is the recommendation of this office that this claim should be denied. The Beards have been contacted by this office and advised that their accident took place outside of the city limits of Lansing and that their claim should be pursued against the Township or the County.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney that said claim be referred to the Township or County.

Carried.

June 13, 1985

President Charles Creamer
and Members of City Council

RE: Kenneth Gemalsky and Margaret Rouse v City of Lansing, Ingham County Circuit Court No. 84-53060-NZ.

Dear President Creamer
and Members of City Council:

In accordance with Article IV, Chapter 3, Section 4-304.7 of the Lansing City Charter, this office requests your authorization to settle the above captioned matter for the sum of \$750.00.

Plaintiff Gemalsky is the owner of property located at 210 Isbell Street in the City of Lansing and Plaintiff Rouse is the holder of an option to purchase the property contingent upon its being eligible for renovation for industrial use.

The property consists of a triangular shaped lot occupied by a vacant and deteriorated masonry building erected in 1933 prior to zoning regulation in the City. The building was used for industrial purposes until 1980 when the owner discontinued his business due to health problems and thereafter attempted to sell the site for industrial use. The property became a legal non-conforming use as a result of inadequate parking and lot setback when zoning regulations were first enacted. In July of 1984, the property was rezoned from "H" light industrial to "C" residential at the recommendation of the Planning Board in order to bring it into conformance with the Neighborhood Development Plan.

Plaintiffs filed the above action in October of 1984 alleging that the rezoning to residential effectively rendered the property worthless and that the property should be allowed to continue its non-conforming status as light industrial. The City's expert appraised the property as having a negative value for either residential or industrial use.

Based on the aforementioned facts, the recommendation of the Planning and Municipal Development Department and the uncertainty of the outcome of litigation, it is the recommendation of this office that this be settled as provided above.

Respectfully submitted,

Stephen R. Sawyer

City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this matter be settled as provided above.

Carried.

June 27, 1985

President Charles Creamer
and Members of City Council

RE: Redemption of Liability in Workers' Compensation Matter Entitled Linda Golden v City of Lansing.

Dear President Creamer
and Members of City Council:

In accordance with Article IV, Chapter 3, Section 4-304.7 of the Lansing City Charter, this office requests your authorization to close the above captioned matter by redeeming the City's Workers' Compensation liability and terminating employment rights and interests in the City for the sum of \$18,940.00.

Claimant began employment with the Lansing Police Department in November of 1970 as a Civilian clerk/matron.

In August of 1982, claimant filed a petition for workers' disability compensation alleging that she was disabled from work due to a psychological condition resulting from tension, stress, discrimination and discipline on the job. The City has voluntarily paid workers' compensation benefits since that time in the amount of \$182.12 per week and the cost of all medical treatment.

Although a recent medical opinion indicates that claimant's condition appears to have resolved itself, it is the treating physician's opinion as well as the opinion of the City's physician that it is highly likely that reinjury would result if claimant were to return to employment with the Police Department.

Based upon the likelihood of reinjury if the claimant were to exercise her right under the Teamster's Agreement to return to her previous position, and the recommendations of the Lansing Police Department and the Workers' Compensation Division of the Personnel Department, this office has tentatively settled the above claim by agreeing to pay the claimant two years worth of workers compensation wage benefits or \$18,940.00 in return for termination of all of claimant's employment rights and interests in the City as well as termination of all future workers compensation wage loss liability, rehabilitation liability, and medical treatment liability.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be settled in the manner described above.

Carried.

DATE: 8/5/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Borderline Committee.

RE: Borderline Fun Fest.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

DATE: 8/6/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from David Berridge, Transportation Division.

RE: Crossing Guard Study - Michigan at Lathrop.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to Committee on Public Properties and Safety.

DATE: 8/8/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Finance Director.

RE: Transfer of funds.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to Committee on Ways and Means.

DATE: 8/6/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

Dear President Creamer and Councilmembers:

RE: Industrial Access Road: Phase I Status.

Based on the policies established by the Lansing City Council concerning construction of Phase I of the Industrial Access Road, the administration has been proceeding with design and implementation of this project. It was the objective of the City of Lansing to begin construction of Phase I of this project in the fall of this year, but because of the results of preliminary testing for groundwater contamination, the decision has been made to conduct further testing in this area and reschedule implementation of this project for the spring of 1986. Recognizing the great amount of public interest in this issue, I felt it was important to inform you why this project must be rescheduled.

Prior to the final approval of the Howe Street alignment, the City Council was briefed by City staff that further testing may be required on the City owned Paulson Street property as well as on property within the proposed right-of-way to further determine the degree of groundwater contamination that may exist in this area. Preliminary testing conducted on the Paulson property indicated some minor levels of groundwater

contamination. Additional follow up testing on the Paulson property has shown the presence of materials which must be considered to represent a significant level of contamination. At this time, it is unclear as the geographic extent of this contamination, but further testing must be done to determine if construction activities on the proposed roadway would lead to further groundwater contamination. Because of the length of time necessary to conduct these tests, it is obviously necessary that the construction activities must be postponed until at least the spring of 1986. By that time, it is hoped that the extent of the groundwater contamination can be identified and the impact of the construction activities on this contamination can be clarified.

An additional issue impacting this project is a pending rezoning petition to expand a gravel mining operation currently operating north of Lake Lansing Road and south of the proposed roadway. This rezoning petition and special land use request to allow the expansion of this sand and gravel mining operation has been tabled by the Planning Board pending completion of the testing within this geographic area. Because of the environmental concerns raised by this further testing, no action will be taken on the proposed rezoning or the special land use request until the expanded testing program can be undertaken. Both the residents impacted by the proposed roadway and the proposed rezoning, and the petitioners themselves, will be briefed by City staff to bring them up to date on this project. I recognized that everyone wished to complete this project as quickly as possible because of the impact of the nonresidential traffic in the neighborhood, but it would be environmentally irresponsible to proceed without additional testing.

City staff will be available from the Planning and Municipal Development Department and the Public Service Department to answer any questions you may have on this issue.

Sincerely,

Terry J. McKane
Mayor

Referred to Committee on Physical Development.

DATE: 8/8/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Department.

RE: Act-19-84, Elm Street east of Beech.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By: Cleophus Boyd, Jr.
Executive Assistant

Referred to Committee on Public Properties and Safety.

DATE: 8/8/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence

from Planning and Municipal Development Department.

RE: ACT-4-85, Block 111 Original City Plat.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By: Cleophus Boyd, Jr.
Executive Assistant

Referred to Committee on Public Properties and Safety.

DATE: 8/8/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Department.

RE: ACT-10-85, Cowles St.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By: Cleophus Boyd, Jr.
Executive Assistant

Referred to Committee on Public Properties and Safety.

PROCLAMATION

Whereas, successfully achieving goals has been challenging for Lansing native Penny Harrington, and

Whereas, sex discrimination suits became all too familiar battles in her struggle for promotion in the Portland Police Department; however, her skills, abilities, and perseverance won her the accomplishments of being appointed the first woman Police Chief in the United States, and

Whereas, Penny Harrington has been a role model, and has paved the way for other women to strive for equality in their professional lives.

Now, Therefore, I, Terry J. McKane, Mayor of the City of Lansing, by the power vested in me, do hereby urge all citizens of this community to join with me in commending Penny Harrington in her achievement to become Portland, Oregon's and the United States' first woman Police Chief and wish her continued success in life.

Given under my hand and the Seal of the City of Lansing this twelfth day of August in the year of our Lord one thousand nine hundred and eighty-five.

Terry J. McKane
Mayor

Received and placed on file.

By COMMITTEE OF THE WHOLE—

Resolution #0375

Resolved by the City Council of the City of Lansing:

Whereas on August 6, 1985, our City lost a man whose kindness and generosity over the years benefited thousands of people in and around Lansing, and

Whereas, Edwin G. "Ed" Lindemann was well-known as the owner of Lindemann's East Town Market on East Michigan Avenue, and as a founder

and active member of the Resurrection Parish, giving of his time and the resources of his business to make this community a better place for all, and

Whereas, Ed and his wife Rose proudly raised twelve children, eleven of whom have chosen to remain in Lansing, including City Councilmember Patrick E. Lindemann, and

Whereas, Ed Lindemann's life was a series of uncounted good deeds - done quietly and without expectation of reward - so that now, as we pay tribute to his memory, so many of us can say, with thankfulness, "He helped me in my time of need".

Now Therefore Be It Resolved, the City Council of the City of Lansing, on behalf of all residents of the City of Lansing, expresses heartfelt sympathy to the family and friends of Edwin G. Lindemann, a very good man.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER BELEN—

Resolution #0376

Resolved by the City Council of the City of Lansing:

Whereas, one of the most pleasant tasks enjoyed by this City Council is to welcome home Lansing natives who made their careers elsewhere, worked hard, achieved their goals, and returned in triumph, and

Whereas, one such person is Penny Harrington, who grew up here, earned a degree from Michigan State University, then moved to Portland, Oregon, to pursue a career in law enforcement, and

Whereas, Ms. Harrington let no barrier stand in her path to success, challenging stereotyped attitudes and the stifling restraints of various bureaucracies, winning time after time the right to prove her own abilities, and

Whereas, Ms. Harrington has now reached a milestone in the history of American law enforcement, having been appointed as the first female Chief of a major metropolitan police force.

Now Therefore Be It Resolved, the City Council of the City of Lansing hereby offers most sincere congratulations and the warmest welcome to Penny Harrington, Portland Chief of Police, and

Be It Further Resolved, on behalf of all family, friends, and well-wishers from your hometown, we hope the best and happiest years of your career are yet to come!

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolution #0377

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Building Safety Division of the Department of Planning and Municipal Development, determined that the building located at 301 South Larch Street legally described as:

Lot 8, Block 2, J. H. Moores Subd. on Block 242 of the City of Lansing,

was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan, and

Whereas, a hearing was held by the Hearing Officers on May 30, 1985, at which the Hearing Officers determined that said building was an unsafe or dangerous

building and ordered the building demolished or otherwise made safe and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan, and

Whereas, the City Council scheduled a hearing on August 5, 1985 to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe.

Now Therefore Be It Resolved, that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building, and

Be It Further Resolved, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution, and

Be It Further Resolved, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building, and

Be It Further Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located, and

Be It Finally Resolved, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0378

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor and the Board of Public Service have recommended that three local streets be decertified to public alleys, and

Whereas, a public hearing on this proposal was held on August 5, 1985, and

Whereas, the Committee on Public Properties and Safety has reviewed the matter and endorsed the recommendations.

Now Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the decertification of the following local streets to public alleys:

Edgewood Court from Daleford St. to Englewood Ct.

Englewood Court from Chicago St. to Wisconsin Street.

Summerville Avenue from Oakland Avenue to Englewood Court, and

Be It Further Resolved, the recommendation to

appropriate \$19,000 for blacktopping of these alleys is hereby referred to the Committee on Ways and Means.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolution #0379

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on June 14, 1985, R.G. and Irma Curtiss requested that the City of Lansing establish a Lansing Plant Rehabilitation District IPR-3-85 pursuant to Act 198, 1974, on property located at 630 Park Place, and

Whereas, due notice has been given for a public hearing on the proposed establishment of said District, and

Whereas, at such hearing held on the 22nd of July, 1985, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is located at 630 Park Place, more particularly described as:

Lots No. 1 and 2 of Block 2, J. H. Moore's Subdivision of Block 242, City of Lansing.

Now Therefore Be It Resolved, the City Council of the City of Lansing hereby establishes a Lansing Plant Rehabilitation District IPR-3-85 on the above described property.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolution #0380

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on June 27, 1985, Neogen Corporation requested that the City of Lansing establish a Lansing Plant Rehabilitation District IPR-4-85 pursuant to Act 198, 1974, on property located at 620 Leshar Place, and

Whereas, due notice has been given for a public hearing on the proposed establishment of said District, and

Whereas, at such hearing held on the 29th day of July, 1985, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is located at 620 Leshar Place, more particularly described as:

Lot 8 and Part of Lots 4, 5, 6, 7, 9, and 10, commencing at the northwest corner of lot 8, then north 29.5', northeasterly along south line of East Saginaw St. 170' (+/-), south 128' (+/-), west 20', north 83', west 148.5' to point of beginning; Block 1 Assessor's Plat number 7.

Now Therefore Be It Resolved, the City Council of the City of Lansing hereby establishes a Lansing Plant Rehabilitation District IPR-4-85 on the above described property.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolution #0381

Resolved by the City Council of the City of Lansing:

RESOLUTION APPROVING AMENDED TAX INCREMENT FINANCING PLAN (Capitol Commons Phase II Acquisition Project)

Whereas, this City Council has given notice pursuant to Section 17 of Public Act No. 450 of the Michigan Public Acts of 1980, as amended (the "Act"), of a public hearing which was held on August 5, 1985, relative to the amended Tax Increment Financing Plan bearing draft date "April 26, 1985" for the Capitol Commons Phase II Acquisition Project (the "Project") of the Tax Increment Finance Authority of the City of Lansing (the "Authority"), and

Whereas, at said public hearing, the fullest opportunity was given for introduction of documentary evidence pertinent to the Amended Tax Increment Financing Plan, and further, this City Council has given due consideration to all communications received in writing with reference thereto, and

Whereas, this City Council made and preserved a record of the public hearing, including all data presented thereat, and

Whereas, this City Council desires to express its approval of said Amended Tax Increment Financing Plan.

Now Therefore Be It Resolved, by the City Council of the City of Lansing as follows:

1. It is hereby determined that the Amended Tax Increment Financing Plan for the Project as presented constitutes a public purpose within the meaning of the Act and said Amended Tax Increment Financing Plan is hereby approved in its entirety.

2. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

3. The City Clerk is hereby directed to provide four certified copies of this resolution to the Secretary of the Tax Increment Finance Authority of the City of Lansing.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolution #0382

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Plant Rehabilitation District IPR-9-83(B) in the City of Lansing, pursuant to Public Act 198 of 1974, as amended, at 2100 South Washington Avenue, and

Whereas, Quality Dairy Company has submitted an application for an Industrial Facilities Exemption Certificate for renovation of the warehouse facility within said Plant Rehabilitation District IPR-9-83(B), and

Whereas, a hearing was held on Quality Dairy Company's application for an Exemption Certificate on July 29, 1985 at which time all interested parties had an opportunity to be heard, and

Whereas, Quality Dairy Company has met the requirements for said Exemption Certificate as required by Public Act 198 and by the policies of this Council, and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of

Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated August 8, 1985 attached hereto).

Now Therefore Be It Resolved, the City Council of the City of Lansing approves the application from Quality Dairy Company for an Exemption Certificate in Lansing Plant Rehabilitation District IPR-9-83(B), to remain in effect for a period of twelve (12) years.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolution #03#

Resolved by the City Council of the City of Lansing:

Whereas, the Neogen Corporation has requested approval of a Special Land Use (SLU-12-85) for the purpose of establishing professional offices and to coordinate research and prepare materials for agricultural testing kits upon the premises commonly known as 620 Leshar Place, formerly Oak Park School, and more particularly described as:

Lot 8 and Part of Lots 4, 5, 6, 7, 9, and 10, commencing at the northwest corner of lot 8, then north 29.5', northeasterly along south line of East Saginaw St. 170' (+/-), south 128' (+/-), west 20', north 83', west 148.5' to point of beginning; Block 1 Assessor's Plat number 7, City of Lansing, Ingham County, Michigan, and that portion of vacated Leshar Place, and

Whereas, the Planning Board, at their meeting of July 16, 1985, recommended approval of this Special Land Use in accord with Section 36-15.1 of the Zoning Code, subject to conditions, and

Whereas, the Committee on Physical Development, to whom was referred the report of the Planning Board, concurs therewith.

Now Therefore Be It Resolved, the City Council of the City of Lansing approves the Special Land Use for the Neogen Corporation to establish professional offices and to coordinate research and prepare materials for agricultural testing kits at 620 Leshar Place subject to the following conditions:

1. The approval is for establishment of their corporate offices and the preparation of testing kits for agricultural purposes.

2. The pedestrian skywalk shall remain accessible for citizens desiring to use Oak Park.

3. Any parking areas used which abut residentially used properties be landscaped and screened.

4. That the parking areas be hard surfaced to meet the minimum requirements of the Zoning Code unless a waiver to maintain gravel surface is approved.

5. Approval for the Special Land Use is applicant specific and site specific.

Adopted by the following vote:

Unanimously.

PUBLIC IMPROVEMENT I

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the Mayor and City Council of the City of Lansing:

That it is hereby determined to be a public necessity to construct Storm Sewer and Curb & Gutter in Daft Street from Miller Road to Hein Avenue.

A petition, #CG-5-85, is on file with the City Clerk, signed by 53% of the benefited owners and signed by owners of 49% of the benefited frontage.

The Department of Public Service be and is hereby directed to cause to be prepared so far as necessary, diagrams and plats of the whole of said district, and/or plans and specifications for such project, and is further directed to estimate in detail the cost of said project, and furnish said information to the Council.

Adopted by the following vote:

Unanimously.

PUBLIC IMPROVEMENT I

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved, by the Mayor and City Council of the City of Lansing:

That it is hereby determined to be a public necessity to construct Sanitary Sewer in Walker Street from Sheridan Road south approximately 600 feet.

A petition is on file with the City Clerk signed by 33% of the benefited owners and signed by owners of 50.05% of the benefited frontage.

The Department of Public Service be and is hereby directed to cause to be prepared so far as necessary, diagrams and plats of the whole of said district, and/or plans and specifications for such project, and is further directed to estimate in detail the cost of said project, and furnish said information to the Council.

Adopted by the following vote:

Unanimously.

PUBLIC IMPROVEMENT IV

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved, by the City Council of the City of Lansing:

That the special assessment roll for curb and gutter:

Assessment Roll No. 296 PS 65104, benefiting all lands fronting on Mary Avenue from S. Logan Street west 200 feet excepting all public streets and alleys and other lands deemed not benefited,

As returned by the City Assessor be and the same is hereby ratified and confirmed, and the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to collect the tax on or before the 12th day of November, 1985.

This construction let by MDT on contract known as "Mary-Logan Street Intersection Improvements, PS 65104".

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER BENAVIDES—

Resolution #0384

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Chapter of the American G.I. Forum Women will sponsor the first Mercado Del Norte Festival in North Lansing on Saturday, August 17, 1985, and

Whereas, this festival, to be held on Grand River Avenue between Ballard and Larch Streets, will showcase Hispanic talent, art, and cultural artifacts from throughout the Greater Lansing area, and

Whereas, the sponsoring organization intends to make the festival an annual event to increase public

awareness of Hispanic culture.

Now Therefore Be It Resolved, the City Council of the City of Lansing hereby welcomes the First Annual Mercado Del Norte Festival and sends congratulations and best wishes to the American G.I. Forum Women - Lansing Chapter, for sponsoring this event.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$12,000.00 from Reserve Contingency	A/C 101-941-008-963
\$12,000.00 to Willard Street Dale	A/C 101-936-410-972
Sewage Disposal Fund	
\$67,800.00 from Retained Earnings	A/C 990-000-000-395
\$18,750.00 to Wage-Hourly	A/C 990-566-000-786
\$7,600.00 to Fringe Benefits	A/C 990-566-000-715
\$400.00 to Misc. and Operating	A/C 990-566-000-741
\$900.00 to Chemicals	A/C 990-566-000-743
\$28,800.00 to Field Equipment	A/C 990-566-100-977
\$11,400.00 to Industrial Lab Equipment	A/C 990-566-105-977

I hereby certify that this is a properly drawn and eligible transfer.

James Dowsett
Finance Director

Approved,

James Blair
Tony Benavides
Ways and Means Committee

Councilmember Blair returned to the session.

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by submitting amendments to Chapter 36 of the Zoning Code, by revising sections numbered 36-3, 36-9, 36-10, 36-15, 16-16, 36-21, 36-22, 36-23, 36-24, 36-25, 36-26, 36-27, 36-28, 36-30, 36-31, 36-32, 36-33, 36-34, and 36-43 for the purpose of updating and revising the zoning code provisions,

Was introduced by Councilmember Belen, read a first and second time by its title, and referred to the Committee on General Services.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That a public hearing be held in the 10th floor Council Chambers at 7:00 p.m. on August 26, 1985, for the consideration of the amendments to Chapter 36 of the zoning code.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER BELEN—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the code for property located at Z-17-85, 620 Lesher Place, to be rezoned

from "Dm-3" Residential District to "D-1" Professional Office District.

And recommended that the ordinance be passed.

Carried.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing, that the ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the code for property located at Z-17-85, 620 Leshner Place, to be rezoned from "Dm-3" Residential District to "D-1" Professional Office District be placed on order of immediate passage.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing, that the ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the code for property located at Z-17-85, 620 Leshner Place, to be rezoned from "Dm-3" Residential District to "D-1" Professional Office District be now passed.

Adopted by the following vote:

Unanimously.

Ordinance No. 2162

An Ordinance of the City of Lansing, Michigan, ordinance providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-17-85, 620 Leshner Place.

Parcel Number 3301-15-012-9

Legal Description: Lot 8 and parts of Lots 4, 5, 6, 7, 9, and 10 commencing at the northwest corner of Lot 8; thence north 29.5', northeasterly along the south line of East Saginaw Street 170' +/-, south 128' +/-, west 20', north 83', west 148.5' to point of beginning, Block 1, Assessor's Plat #7, City of Lansing, Ingham County, Michigan,

From "Dm-3" Residential District to "D-1" Professional Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from this passage unless given immediate effect by City Council.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

This ordinance being necessary for the immediate preservation for the public peace, health, or safety shall take effect upon its passage.

Carried.

By COUNCILMEMBERS BENAVIDES, BELEN, BLAIR, AND WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter from John Q's submitting an update on the status of John Q's and Quincy's.

Referred to Committee on Economic Development.

August 9, 1985

Council President Charles Creamer and Lansing City Councilmembers

Dear President Creamer and City Councilmembers:

On Monday, August 5, 1985, a letter was referred to my office by the City Council for a recommendation. The letter was received from Noemi Galvan-Bishop, President, American G.I. Forum - Lansing Chapter. Ms. Galvan-Bishop spoke of the organization's first annual Mercado Del Norte Festival to be held on August 17, 1985 from 10:00 a.m. to 10:00 p.m. They have requested the showmobile from the Parks and Recreation Department. Additionally, also included is a request that the organization be extended credit to cover the cost of the use of the showmobile until after the festival takes place.

Upon reviewing the policy for co-sponsorship/sponsor assistance as established by the City Council, I cannot find any reference to accommodate this request. Therefore, I have no choice but to recommend denial.

Sincerely,

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we do not concur in the recommendation of the Mayor and that the request for the use of the showmobile and that payment be made after the festivities be approved.

Carried.

REQUEST FOR APPROPRIATION

An appropriation of \$150,711, from A/C 101-000-000-160, General Fund Estimated Revenues, is requested to be transferred. These funds were to be used for T.I.F.A. revenue and transfer from CDBG. (101-694.02 - Operating Transfer - C.D. and 101-580 - Contributions from Local Units).

\$94,172 is to be transferred to A/C 101-920-000-991 for payment of Section 108 loan installment for Capitol Commons. Payment to be mailed by August 23.

\$56,539 is to be transferred to A/C 101-920-000-995, interest on Section 108 loan installment for Capitol Commons. Payment to be mailed by August 23.

Requested by
Janet Lazar
Budget Director

Referred to Ways and Means Committee.

By COUNCILMEMBER WORTHINGTON—

Resolution #0385

Resolved by the City Council of the City of Lansing:

Whereas, the Director of Parks and Recreation has

submitted applications from two organizations for permission to sell beer and wine at Ranney Park during the National Women's Major Fast Pitch Softball Tournament to be held August 17-23, 1985, and

Whereas, the applications, which divide the dates of the tournament, have been reviewed for compliance with all pertinent rules and been recommended for approval.

Now Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the following requests to sell beer and wine at Ranney Park during the National Women's Major Fast Pitch Tournament, for the organizations and dates noted, provided all necessary administrative actions are completed without objection:

Softball Advisory Board, August 17-21, 1985.

Gier Advisory Board, August 22-23, 1985.

Adopted by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Worthington—6.

NAYS: Councilmember Schmidt—1.

By COUNCILMEMBER BENAVIDES—

Resolution #0386

Resolved by the City Council of the City of Lansing:

Whereas, a request has been received to place a stop sign on Chadburne Drive at Glenburne Boulevard due to two recent accidents at this intersection causing property damage and personal injury.

Now Therefore Be It Resolved, the City Council of the City of Lansing hereby approves placement of stop signs on Chadburne Drive at Glenburne Boulevard.

By COUNCILMEMBER BLAIR—

That the resolution be amended as follows:

That in the second paragraph, second line after the word "approves" insert the word "emergency" and in the third line after the word "Boulevard" delete the period (.) and place a comma (,) and add the following wording: "90-day period".

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

By COUNCILMEMBER BLAIR—

Resolution #0387

Resolved by the City Council of the City of Lansing:

Whereas, the City Council of the City of Lansing has reviewed the collective bargaining agreement between the 54-A District Court and the Teamsters Union with regard to the 54-A District Court employees, and

Whereas, the City Council of the City of Lansing does not find that the terms and conditions of that collective bargaining agreement are excessive or unreasonable.

Now Therefore Be It Resolved, the City Council of the City of Lansing has no objections to the implementation of the collective bargaining agreement for the 54-A District Court employees entered into by and between the 54-A District Court and the Teamsters Union.

Much discussion was held on the resolution as

presented.

By COUNCILMEMBER CREAMER—

That the resolution be amended as follows:

That the following paragraph be added:

"Be It Finally Resolved, that based upon the City Attorney's opinion that approval of this agreement is not legally required, and the City Council will not pass upon such agreements in the future".

Carried.

The resolution as amended was adopted by the following vote:

YEAS: Councilmembers Adado, Benavides, Blair, Creamer, Worthington—5.

NAYS: Councilmembers Belen, Schmidt—2.

By COUNCILMEMBER BENAVIDES—

That Councilmember Lindemann be excused from the session.

Carried.

REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT:

Cleophus Boyd, Executive Assistant to the Mayor, spoke in regard to:

North Grand Parking Ramp improvements.

Lindbergh Sewer Project.

Pennsylvania Avenue road construction.

Different sewer projects that are being done around the city.

Street closings.

REMARKS BY THE CITY COUNCIL

Street closings and that notices should be sent to the business and property owners involved.

Councilmember Creamer spoke in regard to the property located at 944 N. Logan St. that is vacant but accessible to persons.

Councilmember Belen spoke in regard to Marilyn Eichinger of Impression who is relocating.

The following persons spoke:

Irene Gross, 930 Porter St. spoke in regard to the Paulson St. Dump area and Bancroft Park.

Donald Tripp, 6259 W. Lake, Haslett, MI spoke in regard to their lease with the Plaza Hotel.

Thomas Tripp, 610 W. Ottawa spoke in regard to John Q's and the lease with the Hotel.

Robert Lange spoke in regard to the shooting and bombing of a house on S. Magnolia St. and the motorcycle gangs in the area.

Ron Espee spoke about windows broken out at Willow St. School.

Mary Haney, of Buck and Mary's spoke in regard to tax abatement.

Mr. Lopez spoke in regard to the First Annual Mercado Del Norte Festival to be held on August 17, 1985 in North Lansing and invited the Council and the to attend.

By COUNCILMEMBER CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:35 P.M.

RITA M. BAUMAN
City Clerk

August 12, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

368

Proceedings, August 19, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

August 19, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: NONE.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Schmidt.

Pledge of allegiance.

By COUNCILMEMBER SCHMIDT—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting the following proclamation.

Carried.

PROCLAMATION

Whereas, Twenty years ago Camp Highfields was born in the mind and heart of Ingham County Probate Judge Robert L. Drake. He saw a great need to help troubled young men to turn their lives around and become contributing citizens in their communities, and

Whereas, a group of citizens spearheaded the drive to purchase 140 acres of land in Onondaga, Michigan. In July 1965, ground was broken to build Camp Highfields, and

Whereas, there is no simple solution to these troubled young men's problems; however, Camp Highfield's in-depth program of direction, discipline, and caring helps build strong character, and

Whereas, Commendation and congratulations to Highfields Youth Opportunity Camp are sincerely extended in celebration of its Twentieth Anniversary.

Now, Therefore, I, Terry J. McKane, Mayor of the City of Lansing, by the power vested in me, do hereby proclaim the week of August 18 to 25, 1985, as Camp Highfields Week in Lansing, and urge all citizens to join with me in applauding the deep commitment to the ideal of community teamwork that has proven effective in the betterment of 1,000 young men.

Given under my hand and the Seal of the City of Lansing this sixteenth day of August in the year of our Lord one thousand nine hundred and eighty-five.

Terry J. McKane
Mayor

PUBLIC HEARING

August 19, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed make-safe or demolish property at 2000 W. Saginaw Street.

The Council President announced that if there is anyone present who has any suggestions or objections to make to the proposed make-safe or demolish they have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on General Services.

PUBLIC HEARING

August 19, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed make-safe or demolish property at 604 S. Magnolia Avenue.

The Council President announced that if there is anyone present who has any suggestions or objections to make to the proposed make-safe or demolish they have the privilege of speaking at this time.

Paul Forsberg, representing the owner, spoke regarding property to be remodeled when court case is settled.

Referred to the Committee on General Services.

PUBLIC HEARING

August 19, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Ordinance providing that Chapter 36 be amended by revising Section 36-12.2 for the purpose of expanding the duties of the Board of Zoning Appeals to handle variances for widening driveways and establishing certain paved parking areas.

The Council President announced that if there is anyone present who has any suggestions or objections to make to the proposed Ordinance amendment they have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Physical Development.

PUBLIC HEARING

August 19, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Special Land Use - SLU-8-85, 900 Holten Street for proposed Foster Care Facility.

The Council President announced that if there is anyone present who has any suggestions or objections to make to the proposed special land use they have the privilege of speaking at this time.

Speakers against the proposed Foster Care Facility were:

John Murray, 824 Holten St.
 Lillie Christian, 906 Holten St.
 Julia Lamp, 818 Holten St.

Speaking for the petitioner was Atty. Stuart Dunnings.

Referred to the Committee on Physical Development.

PUBLIC HEARING

August 19, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Special Land Use - SLU-11-85, 3600 Block W. Jolly Rd. for use as a proposed church.

The Council President announced that if there is anyone present who has any suggestions or objections to make to the proposed special land use they have the privilege of speaking at this time.

David Maxwell, representing the church, spoke in approval of the special land use.

Referred to the Committee on Physical Development.

PUBLIC HEARING

August 19, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed establishment of a Commercial Facilities Exemption Certificate for construction of a new facility at 6272 S. Logan Street.

The Council President announced that if there is anyone present who has any suggestions or objections to make to the proposed commercial facilities exemption certificate they have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

PUBLIC HEARING

August 19, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Redevelopment District for 111 S. Capitol Avenue by Lyons Savings and Loan Association.

The Council President announced that if there is anyone present who has any suggestions or objections to make to the proposed district they have the privilege of speaking at this time.

Speakers against the establishment of a Commercial Redevelopment District were:

Thomas Tripp, 610 W. Ottawa St.
 Cynthia Smith, 620 W. Ottawa St.
 Roger Rochowiak, 1121 Pershing Drive
 Ruth Curtis, resident of 111 S. Capitol Avenue for 9½ years
 Mary Haney, 1312 Roosevelt

Letter received from Esther and Paul Good opposing district.

Referred to the Committee on Economic Development.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Committee Reports 1c and 2b and Resolutions 3e, 5d, and 6 were pulled from the agenda.

COMMUNICATIONS AND PETITIONS

The following applications have been filed for licenses:

Cabaret: Metro-Bowl, Inc.

Referred to the Committee on General Services.

Claim filed for replacement of underground sprinkler heads at 322 McPherson Ave. which were damaged by snow plows.

Referred to the Mayor and City Attorney.

Request for extended approval of preliminary Plat for Kahres Farm No. 2 filed by W. Richard Neller.

Referred to the Mayor and Planning Board.

Request for co-sponsorship of annual Holiday Open House at Civic Center on December 4, 1985 by the Convention/Visitors Bureau of Greater Lansing.

Resolution No. 3 on agenda.

Michigan Liquor Control Commission submits requests for:

a. Red Rail, Inc., for dropping and adding a stockholder for Class C licensed business with Dance Permit located at 3323 N. East St.

b. Vincent Malcangi for transfer ownership of a 1985 Class C licensed business with dance permit from Donald Paul Schuitema located at 1203 S. Washington Ave.

Referred to the Mayor and Committee on General Services.

Bandwidth Technologies Inc., Jackson, MI submits utility permit request for easement across city-owned properties for the purpose of constructing a fiber optic telecommunication system.

Referred to the Mayor and City Attorney.

Copy of letter from Countryside Farm and Greenhouse, Fowlerville, MI regarding recent election held at the City Market.

Referred to the Mayor.

Patrick Hart submits letter and petitions regarding property at 226 Shepard St.

Referred to the Mayor.

MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:

No comments.

REPORT OF COMMITTEE

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

Cabaret: Metro-Bowl, Inc.

Signed,

Sidney Worthington
 Alfreda Schmidt
 Charles Creamer
 Committee on General Services

By COUNCILMEMBER WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORT OF COMMITTEE**THE COMMITTEE ON GENERAL SERVICES—**

To whom was referred the employee grievance filed by Steven Dougan.

Reports as follows: The Committee appointed a fact finding committee of three individuals not affiliated with the City of Lansing. Mr. Dougan's two grievances were fully investigated and all involved City personnel were interviewed. The Committee determined that the City did not violate Mr. Dougan's rights in either instance, and recommended that the Personnel Director's denial of both grievances be sustained. The Committee on General Services concurs with the Factfinders' Report (Attached).

Signed,

Sidney Worthington
Alfreda Schmidt
Charles Creamer
Committee on General Services

By COUNCILMEMBER WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORT OF COMMITTEE**THE COMMITTEE ON PHYSICAL DEVELOPMENT—**

To whom was referred the following rezoning petitions:

Z-9-85 - 1902 East Cavanaugh Rd. to be rezoned from "J" Parking and "H" Light Industrial Districts to "A" Residential District.

Z-13-85 - 116 W. Kilborn to be rezoned from "C" Residential District to "D-1" Professional Office District.

Z-16-85 - 2726 North Grand River Ave. to be rezoned from "J" Parking District to "A" Residential District.

Reports as follows: That said rezonings be approved.

Signed,

Lucile Belen
Charles Creamer
Tony Benavides
Committee on Physical Development

By COUNCILMEMBER BELEN—

That the report of the Committee be approved.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

August 6, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Matthew John Bradstreet in the amount of \$272.70.

Dear President Creamer
and Members of City Council:

On April 6, 1985, Matthew John Bradstreet submitted a claim in the amount of \$272.70 for pothole damage to two tires. The claimant states that on February 24, 1985, he lent his 1985 Ford Ranger to his brother to

allow him to go to the 7-11 store. His brother couldn't see because of the fog and hit a pothole approximately 3 feet in diameter located at 3440 West Holmes Road. The claimant states that three other people hit the pothole within an hour of his brother and reported the pothole to the police department.

A report received from the City Engineer indicates that a complaint was received concerning a pothole at 3410 West Holmes Road. The complaint was responded to promptly; and the pothole was repaired at 8:00 a.m., less than 1½ hours after the complaint was received.

A prior claim submitted by Matthew Meighan in the amount of \$218.00 was denied by the City Council on May 2, 1985. That particular claim as well as this claim occurred in the 3400 block of West Holmes Road. Mr. Meighan states that he struck a pothole in the 3400 block of West Holmes Road at 10:20 p.m. on February 23, 1985 and reported the pothole to the Lansing Police Department who in turn reported the pothole to the Public Service Department.

A municipality is entitled to a reasonable period of time after it knew or should have known of a pothole to repair the complained-of pothole. MCLA 691.1403; MSA 3.996(109). In the instant case, it does not appear that the City's response time in repairing the pothole was unreasonable.

Therefore, applying the aforementioned statutory provisions to the facts presented in this claim, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

August 6, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Richard Helgren in the amount of \$500.

Dear President Creamer
and Members of City Council:

On June 5, 1985, Richard C. Helgren submitted a claim for damage to his automobile. The claimant states that on May 31, 1985 a badly rotted tree was blown onto his car causing damages estimated at between \$1,169.70 and \$1,497.54. Claimant is seeking \$500, the amount of his deductible under his automobile insurance policy.

An investigation was conducted by the Parks and Recreation Department, Forestry Division. Their report indicates that on May 31, 1985 at approximately 6:40 p.m., a 24-inch green ash tree broke at the base and fell upon two parked cars causing extensive damage. The Parks Department has no record of any previous problems being reported with this tree, and despite the fact that each year a survey is made of all street and park trees examining for dead, dying, or defective trees. This particular tree had internal rot only and there was no outward sign of this internal rot. In addition, the Parks Department indicates that on May 31, 1985 they lost approximately 20 other trees and had over 80 calls regarding broken limbs and trees due to very high wind gusts, in some instances clocked up to 59 m.p.h.

Although it is the City's duty to repair and maintain trees located in the City parks and ways, such as the tree in question, inspection of this tree failed to disclose any defect. In light of the hidden nature of the defect and

the high winds, it is apparent that there was no negligence on behalf of the City causing damage to claimant's vehicle.

Therefore, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

August 16, 1985

President Charles Creamer
and Members of City Council

RE: Redemption of liability in Workers Compensation matter entitled Dan Duncan vs City of Lansing.

Dear President Creamer
and Members of City Council:

In accordance with Article IV, Chapter 3, Section 4-304.7 of the Lansing City Charter, this office requests your authorization to close the above captioned matter by redeeming the City's workers compensation liability for the sum of \$12,500.00.

Claimant began employment with the Lansing Police Department in 1966 and was terminated after 14 years of service in 1980. In conjunction with his duties as a police officer, claimant was injured in three motorcycle accidents, one of which resulted when the motorcycle he was driving was struck broadside by an automobile.

In March of 1982, claimant filed a petition for workers disability compensation benefits alleging that he was experiencing difficulty with his left and right knees as a result of his employment with the City of Lansing. The only workers compensation benefit at issue is reimbursement for past medical expenses incurred and liability for future medical treatment of the knees.

It was the opinion of the City's examining physician that claimant's duties as a police officer and the accidents which he experienced contributed to, and aggravated and accelerated an advanced degenerative joint disease. Further, it was the City physician's opinion that claimant's condition would continue to deteriorate, require further surgeries, and ultimately require joint replacement. In addition to periodic medical examinations and arthroscopic surgery, physical therapy, crutches and a stabilizing brace are also prescribed as necessary medical treatments.

Based upon the fact that the City is presently responsible for reimbursement of approximately \$6,000.00 in medical treatment, including three surgeries, to date, and the likelihood of even more costly treatment being required in the future, this office has tentatively settled the above claim by agreeing to pay \$12,500.00 for all medical treatment past and future.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this redemption be made in the amount of \$12,500.00.

Carried.

DATE: 8/8/85

TO: President Creamer and Members, Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application - Faith United Methodist Church.

Attached please find a parade application from the above-referenced organization, scheduled for 10:00 a.m. on Saturday, September 7, 1985, which has been approved by all the necessary department.

Our personnel estimate this will cost the City a total of \$21.23, which represents one officer and one vehicle for one hour.

This is being sent to you for final action.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Police Chief and this parade application be approved.

Carried.

DATE: 8/15/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Department.

RE: Request for Public Hearing, 5312 S. Waverly.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By Cleophus Boyd, Jr.
Executive Assistant

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and this request for public hearing be set for September 23, 1985.

Carried.

DATE: 8/15/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division.

RE: Outlying monthly permit policy waiver: Lot 6 and Lot 15.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By Cleophus Boyd, Jr.
Executive Assistant

Referred to the Committee on Public Properties and Safety.

DATE: 8/16/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Finance Department.

RE: Sewer Bond Ordinance.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By Cleophus Boyd, Jr.
Executive Assistant

Referred to the Committee of the Whole and the Committee on Ways and Means.

DATE: 8/14/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Finance Department.

RE: Transfer of funds.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By Cleophus Boyd, Jr.
Executive Assistant

Referred to the Committee on Ways and Means.

DATE: 8/15/85

TO: Council President Charles Creamer and City Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning and Municipal Development Department.

RE: Tax Abatement Application Review
CRD-7-85, 6272 S. Logan St.
CRD-8-85, 111 S. Capitol

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By Cleophus Boyd, Jr.
Executive Assistant

Referred to the Committee on Economic Development.

RESOLUTIONS

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0390

Resolved by the City Council of the City of Lansing:

Whereas, the Committee on Public Properties and Safety has considered the placement of an adult crossing guard at the intersection of Lathrop and Michigan Avenue, and

Whereas, the Mayor has concurred with the recommendation of the Transportation Division to place a guard at this corner.

Now, Therefore Be It Resolved, the City Council of

the City of Lansing hereby officially authorizes the placement of an adult crossing guard on Michigan Avenue at Lathrop.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0391

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing Property Manager has recommended the transfer of jurisdiction of that portion of Elm Street east of Beech Street and of Beech Street south of Elm Street to the Parks Department, and

Whereas, the property is described as:

Elm Street east of Beech Street:

Commencing at the SW corner of Section 21, Block 221, original Plat, City of Lansing, thence south 82.5' more or less to the Red Cedar River, then east along river to Conrail west right of way line, a point 16.5' +/- east of the west line Section 22, thence North 90' more or less, thence West approximately 313.5' to point of beginning, including deeded parcel 3301-21-278-901, part of Lot 5, AP 26.

That portion of Beech Street Right of Way south of Elm Street:

Commencing at the Elm Street curb at the northeast corner of block 215, south 59 feet +/-, thence east 82.5' more or less along the Red Cedar River to a point south of the east line of Beech Street extended, thence north 40' more or less to the south curb line of Elm Street, thence west 82.5' to point of beginning original Plat, City of Lansing, and

Whereas, the Planning Board has reviewed the request and recommended the transfer of jurisdiction of the above described streets to the Parks Department for designing and constructing the Red Cedar Hiking/Biking Path, and

Whereas, the City Council's Public Properties and Safety Committee concurs with the Planning Board recommendations.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves that the jurisdiction of the Elm Street and Beech Street Rights of Way as described above be transferred to the City Parks Department.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0392

Resolved by the City Council of the City of Lansing:

ACT-4-85

Block 111 Original City Plat

Whereas, the City of Lansing Property Manager has requested a review of the potential sale of this landlocked property located in Block 111 of the Original Plat, City of Lansing, and

Whereas, the Planning Board has reviewed and unanimously recommended that this property be sold due to it no longer being required by the City of Lansing, and be divided according to the following descriptions:

A. Property described as the West 10' of the East 32' of the South 26.13' except the South 7' of Lot 4, Block 111, Original Plat, City of Lansing, Ingham County, Michigan be transferred to the Board of Water and Light.

B. The property described at the South 7' of the West 10' of the East 32' of the South 26.13' of Lot 4, Block 111, Original Plat, City of Lansing, Ingham County, Michigan be appraised and sold to Liebermann's at 107 S. Washington Square, and

Whereas, the Lansing City Council Committee on Public Properties and Safety has reviewed recommendations of the Planning Board and concurred with those recommendations.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the sale of this parcel and the City Property Management is to proceed to record the property descriptions and negotiate the sale of parcels as described above to the corresponding owners.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0393

Resolved by the City Council of the City of Lansing:

ACT-10-85
Cowles Street Vacation

Whereas, the Oldsmobile Division of GMC and City of Lansing Property Manager have requested that property known as Cowles Street, south of the north line of the Grand Trunk Railroad right of way be vacated, and

Whereas, portions of this street were vacated in 1955 and currently there is no access to this right of way, and

Whereas, the property to be vacated is more properly described as:

Commencing at the SW corner of Lot 6, Block 3, thence south 330' +/- to the south line of Plat as recorded in Liber 1 of Plats page 9, thence Southeasterly to East line of Cowles Street, thence North 340' +/- to the southwest corner of Lot 7, Block 4, Albert E. Cowles Subdivision, northwest to point of beginning, City of Lansing, Ingham County, Michigan, and

Whereas, the Lansing Planning Board has reviewed this request for vacation and found that there is no public use required or intended for this property, has unanimously recommended its vacation to the interest of the adjacent property owners, and

Whereas, the City Council Committee on Public Properties and Safety has reviewed this recommendation and concurs therein with the Planning Board.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby vacates the property described above known as Cowles Street, and further that the Lansing City Attorney file this request in Circuit Court in accordance with appropriate State law addressing the vacation of public rights-of-way leading to the river.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0394

Resolved by the City Council of the City of Lansing:

SUP-1-82

213 West Main Street

Whereas, pursuant to Section 36-42(4) of the Lansing Zoning Code, being Chapter 36 of the Code of the City of Lansing, Mr. Gerald C. Beckwith, representing the Michigan Women's Studies Association, Incorporated, has requested a special use permit to allow the operation of the Michigan Women's Hall of Fame and the Michigan Women's Historical Center upon the premises commonly known as 213 West Main Street, more particularly described as:

That portion of Parcel #3301-21-131-003 described as Lot 20, Block 177, Original Plat of the Town of Michigan, now City of Lansing, Ingham County, Michigan, and

Whereas, the City Council, on April 5, 1982, adopted a resolution expressing their intent to approve the special use permit subject to conditions, and

Whereas, the Michigan Women's Studies Association, Incorporated, has requested that the resolution of intent be finally approved, and

Whereas, the Physical Development Committee of the City Council, upon reviewing the request and the Association's progress on the conversion, recommended such approval.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the resolution of intent of Special Use Permit #1 of 1982, and

Be It Further Resolved, that this approval shall continue as long as a lease agreement exists between the City and the Michigan Women's Studies Association, and

Be It Finally Resolved, that the City Clerk be, and she is hereby, directed, to notify petitioner of this action and the conditions thereof.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0395

Resolved by the City Council of the City of Lansing:

SLU-2-85
1902 East Cavanaugh Road
Southwest of Aurelius/Cavanaugh Intersection

Whereas, Eastlund Concrete Company has requested a Special Land Use and rezoning from "J" Parking and "H" Light Industrial Districts to "I" Heavy Industrial District for vacant land just south of the southwest corner of Aurelius/Cavanaugh Roads, more particularly described as:

Commencing 351.8' west and 237.5' south of the east ¼ post, Section 34, T4N, R2W; thence south 10.0', thence west 532.6'; thence south 247.5'; thence east 884.4' thence north 257.5'; thence west 351.8' to point of beginning, City of Lansing, Ingham County, Michigan, and

Whereas, the purpose of these Special Land Use and zoning requests is to allow the extraction of sand and gravel from the subject property, and

Whereas, this property is owned by Parker Memorial Baptist Church and the Eastlund Concrete Company has agreed to restore the property for play area, and

Whereas, Parker Memorial Baptist Church and Eastlund Concrete Company have a formal agreement stipulating the above, and

Whereas, the Lansing Planning Board, on June 18, 1985, based on community input and Planning staff recommendation, voted to deny the request as filed, and rather to grant a Special Land Use and rezoning to "I" Heavy Industrial District for only the west 384 feet of the property and to rezone the balance of the property (the east 520.4 feet) to "A" Residential District, subject to the following conditions:

That the depth of the extraction be limited to not more than twenty (20) feet below the existing established ground level.

That the existing haul road be utilized as ingress and egress of the pit and if any change is anticipated to the haul road in terms of location, that the change be reviewed and approved by the Planning Division.

That the haul road shall be treated for dust.

That the operation of an extraction activity shall not result in overhanging earth material which creates a situation which endangers the public health, safety, and general welfare.

That standing water pools greater than two feet (2') in depth shall be made safe and secure so as not to endanger the public health, safety, and general welfare.

That an applicant seeking a special land use for a borrow pit shall submit a performance bond to the City Treasurer in an amount which guarantees rehabilitation of the borrow pit consistent with Section 36-34.3(6)(j) of the Lansing Zoning Code.

That rehabilitation be done concurrently with the extraction whenever possible.

That fill material shall consist of inert material and be of a type that shall not in any way contaminate the ground water and soils.

That the Special Land Use be authorized specifically to the Eastlund Concrete Company or approved subcontractor and be held in control of the Parker Memorial Church. Abandonment by the Eastlund Concrete Company or their subcontractor shall cause the Special Land Use to be cancelled.

Any subcontractor utilizing the pit shall be under the direct control of the Eastlund Concrete Company.

If there is a problem with trespassing and it includes uncontrolled dumping or misuse of recreational vehicles, then owner and/or lessee shall take the necessary steps to eliminate the problem.

Extraction shall not exceed a ten (10) year period and the Planning Division shall have the right to review the Special Land Use at the end of a five year period. This review shall consist of performance as it relates to the conditions as outlined in this report and will allow the City the right to its continuation or revocation, and

Whereas, the Forest View Citizens' Association supports the scaled down development plan as indicated above in the Planning Board recommendations, and

Whereas, the Physical Development Committee of the City Council voted to concur with the Planning Board recommendation.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby grants a Special Land Use for the purpose of sand and gravel extraction on the property described as:

Commencing 533.4 feet west and 237.5 feet south of the east ¼ post, Section 34, T4N, R2W; thence west 384'; thence south 247.5'; thence east 384'; thence north 247.5' to point of beginning, City of Lansing, Ingham County, Michigan, and

Be It Further Resolved, that this Special Land Use be

granted subject to all of the conditions attached to the request by the Planning Board and as stipulated herein.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0396

Resolved by the City Council of the City of Lansing:

P-4-79

Trappers Cove Subdivision #3

Final Plat

Whereas, pursuant to Chapter 37 of the Code of the City of Lansing and the State of Michigan Plat Act, the final plat of Trappers Cove Subdivision No. 3 has been submitted for approval, and

Whereas, the Planning Board reviewed the final plat, found it to be in substantial conformance with the approved preliminary plat, and recommended approval subject to conditions, and

Whereas, the Physical Development Committee of the Council, to whom the report of the Planning Board was referred, concurs therewith.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the final plat of Trappers Cove #3 subject to the following conditions:

1. Final security be posted in the amount specified by the Public Service Department and the Department of Parks and Recreation.

2. Final clearance from the Board of Water and Light be obtained for development.

3. That the site be served with all public utilities and facilities as required at the time of preliminary approval by the various public agencies, and

Be It Further Resolved, that the City Clerk be, and she is hereby directed to notify the proprietor(s) of the plat and the surveyor(s) of the land of this action and the conditions thereof.

Councilmember Blair returned to the meeting.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0397

Resolved by the City Council of the City of Lansing:

FCF-2-85

1401 Robertson Avenue

Whereas, pursuant to Act 28, Public Act of 1977 of the State of Michigan, the Michigan Department of Social Services has notified the City of Lansing of its intent to license an adult foster care family home to provide shelter and care for a maximum of one (1) foster adult upon the premises commonly known as 1401 Robertson Avenue, more particularly described as:

Lot 18, North Highland Subdivision, City of Lansing, Ingham County, Michigan, and

Whereas, upon review of the application notice, the Department of Planning and Municipal Development found that:

1. There are no other similar licensed facilities, existing or proposed, within 1,500 feet of this proposed facility.

2. Alterations and repairs are necessary to bring the home up to minimum building and fire codes, and

Whereas, the Physical Development Committee of the Lansing City Council, to whom the report of the Department of Planning and Municipal Development was referred has reviewed the report and recommends the issuance of a license subject to the following:

1. Certification by the Department of Planning and Municipal Development and the Fire Prevention Bureau that all Code required repairs and alterations have been completed, and

Be It Further Resolved, that the City of Lansing return the application notice to the Michigan Department of Social Services indicating that this proposed facility is located more than 1,500 feet from another similar facility, existing or proposed, and

Be It Finally Resolved, that a copy of this resolution and copies of the Safety Inspection Report and the report of the Department of Planning and Municipal Development be attached to the notice and returned therewith.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolution #0398

Resolved by the City Council of the City of Lansing:

That the special assessment roll for Curb and Gutter as follows:

Assessment Roll #297, PS 85044 C&G, benefiting all lands fronting on Southfield Avenue from Daft Street to Yunker Street excepting all public streets and alleys and other lands deemed not benefited.

Assessment Roll #297, PS 54084 C&G and necessary storm sewers, benefiting all lands fronting on Ingham Street from Holmes Road to Fauna Avenue excepting all public streets and alleys and other lands deemed not benefited.

Assessment Roll #297, PS 54084 C&G and necessary storm sewer, benefiting all lands fronting on Coulson Court from Miller Road north to the south line of Lancel Village No. 3, excepting all public streets and alleys and other lands deemed not benefited.

Assessment Roll #297, PS 54095 C&G and necessary storm sewer, benefiting all lands fronting on Dunlap Street from Viking Street to Ingham Street, excepting all public streets and alleys and other lands deemed not benefited.

Assessment Roll #297, Parks Dept properties C&G, street improvements, etc., benefiting Parks Dept property within Mt. Hope Cemetery and on E. Shiawassee St. abutting Parks Department Field Office parking area.

As returned by the City Assessor be and the same is hereby ratified and confirmed, and the Mayor be and is hereby directed to affix within ten days his warrant directing the City Treasurer to collect said tax on or before the 19th day of November, 1985.

All projects are a part of the 1985 New Street Construction-I Contract, PS 85046.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolution #0399

Resolved by the City Council of the City of Lansing:

That in accordance with the wishes of certain property owners who have filed a petition requesting

the cancellation of the construction of the storm sewer and curb and gutter on Christiansen Road from Reo Road to N. of Pierce Road for reasons stated as being an unnecessary improvement at excessive cost, that this construction (as ordered under Assessment Roll 297) be rescinded, and

Be It Further Resolved, that it shall be noted that this construction was originally petitioned by 55% of the benefited property owners in 1984, for the purpose of eliminating sewer backups due to a combined sewer system. It was also the recommendation of the Public Service engineering staff that this work be implemented to achieve compliance with the Facilities Plan 201 and E.P.A. requirements for separation of storm and sanitary sewers.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolution #0400

Resolved by the City Council of the City of Lansing:

That it is a necessary public improvement and it is hereby ordered that a new sidewalk shall be constructed in front of or adjacent to the following described properties:

Parcel	Address	Lineal Feet of Frontage
3301-30-453-261	Vacant Lot	100
3301-30-453-251	2711 Dunlap	188.4
3301-30-404-032	2923 Ingham on Dunlap	100
3301-30-404-033	2800 Dunlap	86
3301-30-404-042	2714 Dunlap	86
3301-30-404-043	2922 Viking on Dunlap	100

and that owners of said above described lands are hereby required to commence construction within twenty (20) days from the date of this publication in accordance with Section 28-41 of the Code of Ordinances, or the Director of Public Service is authorized and directed to proceed to construct said concrete sidewalk in accordance with Section 28-42 of the Code of Ordinances. The expense of constructing the same shall be paid out of the contingent fund, and the City Assessor is hereby directed to assess the expense of constructing the same against said described land in accordance with Section 28-44 of the Code of Ordinances.

The City Clerk and the Public Service Director are hereby directed to give due notice hereof, by publication of a notice of this resolution as provided by Section 28-41, Chapter 28 of the Code of Ordinances.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolution #0401

Resolved by the City Council of the City of Lansing:

That it is a necessary public improvement and it is hereby ordered that the sidewalk shall be reconstructed in front of, or adjacent to the following described properties:

PS 38047

Parcel	Address	Shall 100% City 100% Owner			
		Resp.	Resp.	Resp.	Resp.
		Summ Feet	Summ Feet	Summ Feet	Summ Feet
		4'	6'	4'	6'
3301-14-177-231	2521 E Michigan	230		40	
3301-14-177-221	2515 E Michigan	45			
3301-14-177-211	2511 E Michigan	30			

Parcel	Address	50/50 Shared Resp. Square Feet	100% City Resp. Square Feet	100% Owner Resp. Square Feet
Intersection	NE Corner Francis		36	
Intersection	NW Corner Francis		69	
3301-14-176-151	2423 E. Michigan			
3301-14-176-141	2409 E. Michigan	480	15	120
3301-14-176-131	2407 E. Michigan			
3301-14-176-121	2401 E. Michigan	198		
Intersection	NE Cr Foster & Mi		45	
3301-14-154-231	2321 E. Michigan	90		
3301-14-154-221	2311 E. Michigan	60		
3301-14-154-211	Parking			
3301-14-154-201	2305 E. Michigan		20	
3301-14-154-191	2301 E. Michigan	32	10	
3301-14-154-241	2215 E. Michigan	30		
3301-14-154-231	2213 E. Michigan	20		
3301-14-154-221	2209 E. Michigan	180		
3301-14-154-211	2205 E. Michigan			30
Intersection	NE Cor Magnolia		6	
3301-14-152-181	2121 E. Michigan		172	
3301-14-152-171	2101 E. Michigan	294	30	
Intersection	NW Corner Fairview		66	
3301-14-156-126	2033 E. Michigan	284		
3301-14-156-122	2021 E. Michigan	174		
3301-14-156-101	2017 E. Michigan	24		
3301-14-156-091	2009 E. Michigan	72	36	
Intersection	NE Corner Clemens			
3301-14-155-041	1923 E. Michigan	90	270	3
3301-14-281-081	1915 E. Michigan	90	90	
3301-14-281-071	1909 E. Michigan			
3301-14-281-061	1905 E. Michigan			
3301-14-281-051	1901 E. Michigan			
Intersection	NE Corner Harton			
Intersection	NW Corner Harton			
3301-15-280-121	1825 E. Michigan		144	
3301-15-280-111	1815 E. Michigan		72	
3301-15-280-101	1809 E. Michigan		204	
3301-15-280-091	1805 E. Michigan		72	
3301-15-280-081	1723 E. Michigan		60	
3301-15-280-071	1717 E. Michigan	60		
3301-15-280-061	Parking Lot w/o 1717		240	
3301-15-280-051	1705 E. Michigan		168	
3301-15-280-041	1701 E. Michigan	180		
Intersection	NE Corner Marshall		6	
Intersection	SW Corner Millin		83	
3301-14-327-451	2522 E. Michigan	77	42	
3301-14-327-462	2510 E. Michigan	270	198	
3301-14-327-472	2504 E. Michigan	12	2	
Intersection	SE Corner Francis		4	
Intersection	SW Corner Francis		60	
3301-14-326-421	2418 E. Michigan	90		60
3301-14-326-001	2400 E. Michigan	204		26
Intersection	SE Corner Foster		50	
Intersection	SW Corner Foster		98	
3301-14-305-391	2320 E. Michigan	243		
3301-14-305-391	2320 E. Michigan	243		
3301-14-305-401	2316 E. Michigan	270		
3301-14-305-411	2312 E. Michigan	210		
3301-14-305-421	2310 E. Michigan			
3301-14-305-431	2306 E. Michigan			
3301-14-305-001	2300 E. Michigan	210		
Intersection	SE Corner Hayford		36	
3301-14-304-391	2224 E. Michigan	365		
3301-14-304-401	2216 E. Michigan	300		
3301-14-304-001	2200 E. Michigan	258		
3301-14-304-411	2208 E. Michigan	98		
Intersection	SE Corner Magnolia		264	75
Intersection	SW Corner Magnolia			

Parcel	Address	50/50 Shared Resp. Square Feet	100% City Resp. Square Feet	100% Owner Resp. Square Feet
3301-14-303-441	2116 E. Michigan	210	420	30 if c & g
3301-14-303-451	2110 E. Michigan	60	60	
3301-14-303-462	Parking Area			
3301-14-303-002	2100 E. Michigan			
Intersection	SW Corner Fairview			122
3301-14-302-441	2006 E. Michigan	36		
3301-14-302-001	Parking w/o 2002		18	
Intersection	SE Corner Clemens		12	72
Intersection	SW Corner Clemens		50	
3301-14-301-031	1918 E. Michigan	108		15
3301-14-301-021	1914 E. Michigan	36		
3301-14-301-011	1912 E. Michigan	72		9
3301-14-301-001	1910 E. Michigan			75
3301-15-310-001	1908 E. Michigan		36	256
Intersection	SE Corner Regent			

and that owners of said above described lands are hereby required to commence reconstruction within twenty (20) days from the date of this publication in accordance with Section 28-41 of the Code of Ordinances, or the Director of Public Service is authorized and directed to proceed to reconstruct said concrete sidewalk in accordance with Section 28-42 of the Code of Ordinances. The expense of constructing the same shall be paid out of the contingent fund, and the City Assessor is hereby directed to assess the expense of reconstructing the same against said described land in accordance with Section 28-44 of the Code of Ordinances.

The City Clerk and the Public Service Director are hereby directed to give due notice hereof, by publication of a notice of this resolution as provided by Section 28-41, Chapter 28 of the Code of Ordinances.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolution #0402

Resolved by the City Council of the City of Lansing:

Whereas, the United States Cheerleaders Association is celebrating its 30th anniversary at the Lansing Civic Center August 22, 23, and 24th, and

Whereas, Lansing has become known as the Cheerleader capital of the world, hosting the Grand Championship competitions over the years, and

Whereas, Cheerleading and Pom Pon teams from all over the country will be arriving in Lansing to compete in 23 different divisions at the 1985 USCA National Grand Championships, and

Whereas, in addition to the team and individual cheerleading and pom pon competition, the audience this year will be entertained with a special performance competition including talent acts, group routines, skits, stunts, and a variety of other colorful productions, and

Whereas, the City of Lansing continues to be proud of its long standing relationship with the United States Cheerleaders Association.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby extends on behalf of all the citizens of this community hearty congratulations to USCA on the occasion of celebrating 30 years of Championship Cheerleading and Pom Pon competition.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolution #0403

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing as well as the Greater Lansing Community and the State of Michigan will soon be losing an invaluable human resource in the form of Marilynne H. Eichinger, and

Whereas, Marilynne has accepted a significant position with the Oregon Museum of Science and Industry in Portland, Oregon, and

Whereas, Marilynne's positive contributions to Lansing are unrivaled, and

Whereas, she founded the Impression 5 Science Museum here in Lansing in 1972 and has nurtured this remarkable facility into a very unique world class interactive science museum which has enriched over one half million people since its opening, and

Whereas, Marilynne's creativity, determination and thoughtful influence have touched each of us who has ever visited Impression 5.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby officially extends a hearty and sincere "Thank-you" to Marilynne H. Eichinger, and

Be It Further Resolved, on behalf of all the citizens of Lansing we wish Marilynne every possible success in her museum adventure at Oregon Museum of Science and Industry in a promise to preserve her tradition of creative excellence which has germinated in Lansing.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolution #0404

Resolved by the City Council of the City of Lansing:

Whereas, the Hubbell Softball Club is a 17 number co-educational slow pitch softball team sponsored by Century 21 - Hubbell Real Estate, and

Whereas, this remarkable team has a 94 win 14 loss record for three seasons since its organization, and

Whereas, they were undefeated this season in the City's "Co-ed Competition V League" and placed second in the all City tournament losing the last game by only one run, and

Whereas, they proceeded to the Michigan State Tournament where, after losing the first game, they went on to sweep the tournament by winning 8 consecutive games from the losers bracket (a feat never before accomplished in the history of the State Tournament), and

Whereas, they are now bound for Oklahoma City on August 30th to compete in the National Co-ed Slow Pitch Softball Tournament with 80 teams from all over this country.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby extends its best wishes to and full confidence in, the Hubbell Softball Club as they go to Oklahoma City to represent Lansing and Michigan in top level softball competition, and

Be It Further Resolved, the Council officially salutes Matt Evans and Charlie Curtis as coaches and the 9 men and 8 women who play such exceptional softball, and

Be It Finally Resolved, the Council awaits their

return to Lansing as National Champions.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolution #0405

Resolved by the City Council of the City of Lansing:

Whereas, the Convention/Visitors Bureau of Greater Lansing has requested City of Lansing co-sponsorship for the annual Holiday Open House to be held in the Civic Center on December 4, 1985, and

Whereas, the Holiday Open House has traditionally been the premier holiday event for the greater Lansing area, and

Whereas, the City of Lansing wants to continue the tradition of excellence.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby authorizes the co-sponsorship of the Holiday Open House which includes waiving the fee for the main Auditorium at the Civic Center on December 4, 1985, as well as the rental fee for the parking lot, and

Be It Further Resolved, the City Council extends congratulations to the Convention/Visitors Bureau of Greater Lansing on the occasion of 25 years of exceptional service to this community.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$41,694.00 from Gen. Adm. Fringe Benefits	A/C 101-930-000-715
\$33,948.00 to District Court Expenditures	A/C 101-136-000-700
\$7,748.00 to Dist. Ct. Probation - Salaries and Longevity (Dist. Court labor settlement)	A/C 101-151-000-702
\$33,946.00 from Dist. Ct. Est. Revenues	A/C 760-000-000-160
\$26,154.00 to Dist. Ct. Salaries and longevity	A/C 760-136-000-702
\$7,792.00 to Dist. Ct. Fund - Fringe Benefits (Dist. Ct. labor settlement)	A/C 760-136-000-715
\$2,084.00 from Police Dept. Operating supplies	A/C 101-308-000-740
\$3,387.00 from Police Dept. Repair and Maint.	A/C 101-308-000-930
\$2,084.00 to Admin. Serv. Dept. Operating Supp.	A/C 101-228-001-740
\$3,387.00 to Admin. Services Dept. Repair and Maint. (Entire Police Dept. Microx System is being transferred to the Admin. Services Dept.)	A/C 101-228-001-930
\$150,711.00 from General Fund Est. Revenue	A/C 101-000-000-160
\$94,172.00 to Section 108 Loan Principal	A/C 101-920-000-991
\$56,539.00 to Section 108 Loan Interest (Funding for payment of Section 108 Loan installment for Capital Commons, Payment to be mailed by August 23)	A/C 101-920-000-995
\$19,000.00 from Gen. Fund Res. for Conting.	A/C 101-941-000-983
\$19,000.00 to C.I.P. Alley Resurfacing (Asphalting of recently decertified streets, now public alleys)	A/C 101-936-808-974
\$6,872.00 from Traffic Maint. Misc. & Op. Exp.	A/C 202-480-000-741
\$6,872.00 to Public Service O & M Traffic Equip. (Reclassified accounts)	A/C 202-482-200-977
\$30,000.00 from CDBG Contingency-Replog.	A/C 255-941-011-969.02
\$21,000.00 from CDBG Conting. - 11th Year	A/C 255-941-011-969
\$51,000.00 to CDBG Section 108 Loan Repayment (To provide sufficient funds to pay the Section 108 loan installment due to U.S. Dept. of HUD on Sept. 1, 1985)	A/C 255-941-011-990

The balance in the Reserve for Contingency Fund after this transfer is \$483,150.00.

I hereby certify that this is a properly drawn and eligible transfer.

James W. Dowsett
Finance Director

Approved:

James Blair
Tony Benavides
Ways and Means Committee

Adopted by the following vote:

Unanimously.

ORDINANCES

By COUNCILMEMBER BELEN—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at:

Z-9-85 - 1902 E. Cavanaugh Rd. to be rezoned from "J" Parking and "H" Light Industrial Districts to "A" Residential District and "I" Heavy Industrial District.

Z-13-85 - 116 W. Kilborn to be rezoned from "C" Residential District to "D-1" Professional Office District.

Z-16-85 - 2726 N. Grand River Ave. to be rezoned from "J" Parking District to "A" Residential District.

and recommended that the Ordinances be passed.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-9-85 - 1902 E. Cavanaugh Rd. to be rezoned from "J" Parking and "H" Light Industrial Districts to "A" Residential District and "I" Heavy Industrial District be placed on order of immediate passage.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-9-85 - 1902 E. Cavanaugh Rd. to be rezoned from "J" Parking and "H" Light Industrial Districts to "A" Residential District and "I" Heavy Industrial District be now passed.

Adopted by the following vote:

Unanimously.

Ordinance No. 2163

An Ordinance of the City of Lansing, Michigan providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-9-85, 1902 E. Cavanaugh Road

Parcel Number: 3301-14-426-031

Legal Description: Commencing 351.8' west and 237.5' south of the east ¼ post, Section 34, T4N, R2W; thence south 10'; thence west 532.6'; thence south 247.5'; thence east 884.4'; thence north 257.5'; thence west 351.8' to the point of beginning, City of Lansing, Ingham County, Michigan;

The east 500 feet of the above property from "J" Parking and "H" Light Industrial Districts to "A" Residential District and the balance of the above described property from "J" Parking District and "H" Light Industrial District to "I" Heavy Industrial District.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-13-85 - 116 W. Kilborn to be rezoned from "C" Residential District to "D-1" Professional Office District be placed on order of immediate passage.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-13-85 - 116 W. Kilborn to be rezoned from "C" Residential District to "D-1" Professional Office District be now passed.

Adopted by the following vote:

Unanimously.

Ordinance No. 2164

An Ordinance of the City of Lansing, Michigan providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-13-85, 116 West Kilborn

Parcel Number: 3301-09-334-091

Legal Description: The east 86' of Lot 7 and the east 86' of the south ½ of Lot 8, Block 41, Original Plat, City of Lansing, Ingham County, Michigan.

From "C" Residential District to "D-1" Professional Office District.

Section 2. All Ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-16-85 - 2726 N. Grand River Ave. to be rezoned from "J" Parking District to "A" Residential District be placed on order of immediate passage.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-16-85 - 2726 N. Grand River Ave. to be rezoned from "J" Parking District to "A" Residential District be now passed.

Adopted by the following vote:

Unanimously.

Ordinance No. 2165

An Ordinance of the City of Lansing, Michigan providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number Z-16-85

Parcel Number: 3301-15-402-131

Legal Description: The east 100' of that part of the west 40 acres of the west ½ of the southeast ¼ lying north of Grand River Avenue, Section 5, T4N, R2W, City of Lansing, Ingham County, Michigan, except that portion of the above described as: beginning at the southeast corner of Lot 1, Cynwood Heights Subdivision; thence north 190'; thence east 100'; thence south to the north line of North Grand River Avenue; thence northwesterly 110' to the point of beginning, City of Lansing, Ingham County, Michigan.

From "J" Parking District to "A" Residential District.

Section 2. All Ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT:

Mr. Boyd spoke regarding the North Grand Ave. Parking Ramp Expansion, Waverly Rd. Sewer and repaving work, various interceptor drain projects and the Willard Street Dike.

REMARKS BY THE CITY COUNCIL:

Councilmember Schmidt spoke regarding the Willard St. Dike fill dirt and Hilliard Rd. Interceptor.

Councilmember Adado spoke regarding the opening of school and construction around school areas should be made known to school officials.

Councilmember Belen requested an occupancy report for Parking Lot #14.

Councilmember Lindemann spoke regarding the length of time it took for weatherization grants and loans and for work to be done. Requested Planning Dept. representation at Public Properties and Safety meeting.

Councilmember Benavides spoke regarding problems of the North Capitol Parking Ramp.

Mary Haney spoke regarding problems of businesses trying to cope with Grand River Ave. being closed Saturday in North Lansing.

Gerald W. Graves, 1623 S. Genesee Drive, spoke regarding paint damage to Linda Schabel's automobile in North Grand Parking Ramp and no water at Evergreen Cemetery to water flowers. Also remarked on the recently adopted Ordinance regarding the Employees Retirement System.

Paul Czubak, owner of Ed's Bar, spoke as representative of four other businesses in North Lansing protesting the closing of the street in front of their businesses on Saturday.

Michael Hall, 517 W. Barnes Avenue spoke against tax abatement for 111 S. Capitol Avenue.

Emma Berry Reed, state employee, spoke regarding problems of roach infestation in the North Capitol Ramp and the unclean restrooms. Councilmember Lindemann requested the letter from her to be referred to the Committee on Public Properties and Safety.

Thomas Tripp apologized for the reference to a councilmember during discussion of the tax abatement for 111 S. Capitol Avenue.

Councilmember Adado requested introduction of Ordinance for change of wording for Ordinance revision of Chapter 26-23(c).

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:50 P.M.

RITA BAUMAN,
City Clerk

August 19, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

380

Proceedings, August 26, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

August 26, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: NONE.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Benavides.

Pledge of allegiance.

PUBLIC HEARING

August 26, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed amendment of the Zoning Code by revising sections numbered 36-3, 36-9, 36-10, 36-15, 36-16, 36-21, 36-22, 36-23, 36-24, 36-25, 36-26, 36-27, 36-28, 36-30, 36-31, 36-32, 36-33, 36-34, and 36-43 for the purpose of updating and revising the zoning code provisions.

The Council President announced that if there is anyone present who has any suggestions or objections to make to the proposed amendments they have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on General Services.

By COUNCILMEMBER SCHMIDT—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting a special presentation to Joe Pandey, General Manager of the Board of Water and Light of \$20,000 from the State of Michigan in connection with the ice storm clean-up of last January.

A presentation was made by Mike Motz representing the Riverfest Committee. Riverfest '85 will be held August 30, 31 and Sept. 1 and 2, 1985 in the Riverfront Park.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Resolution 1a1 and 1c were pulled from the agenda.

Fred McLaughlin, 727 N. Capitol Ave., spoke regarding letter from the City Attorney concerning claim for reimbursement of special assessment fees.

Atty. Andrew Goldstein, representing City Workers and retirees, spoke and presented petitions with over 5,000 names to support Resolution #5 - submitting the repeal of ordinance amendment Chapter 26-23c to the voters on November 5, 1985 election.

Vivian Preston, 1516 W. Allegan St. spoke in support of Resolution #5.

Nicholas Limber spoke in regard to property at 2000 W. Saginaw St.

By COUNCILMEMBER SCHMIDT—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting the following resolution in regard to the Lansing City Market 47th Anniversary.

Carried.

By COMMITTEE OF THE WHOLE—

Resolution #0406

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Market is celebrating its 47th Anniversary on Tuesday, August 27, 1985, and

Whereas, the City Market has been a real resource and an institution of which this community can be very proud, and

Whereas, the management and vendors of the City Market are promoting "Anniversary Week" from August 27th through August 31st with birthday cake, free gifts for the customers and special prices on all the wonderful Michigan grown fruits and vegetables as well as hundreds of other products, and

Whereas, our City Market located at Cedar and Shiawassee Streets has always been a great place to purchase fresh produce and have fun doing it.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby officially express its appreciation to the vendors and many citizens of Lansing who have patronized our City Market over the years, and

Be It Further Resolved, on behalf of all the residents of Lansing we say "Thank-you" and keep up the good work which benefits us all so greatly.

Adopted by the following vote:

Unanimously.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

Auctioneer: Robert J. Hamel.
Pool Room: Velvet Rail Billiards.
Adult Bookstore and Theatre: New Art Theatre, Inc.

Referred to the Committee on General Services.

Claims filed by:

a. John D. McDonough, East Lansing, MI, for the repair of trousers damaged while attending meeting at the Civic Center.

b. Marilyn Madigan of Xerox Corp. for automobile antenna damaged from malfunctioning gate-arm in the parking mall at Washington and Allegan Sts.

c. M. K. Pugh, 1726 Riley Ridge, for automobile damaged in striking a raised manhole cover at corner of Rockford Rd. and Strathmore Ave.

d. Mrs. William A. Wickham, 1502 Wood Street, for replacement of window broken by a golf ball from Groesbeck Golf Course.

e. Leonard Esquina, Jr. for automobile damaged due to a pile of debris left by construction workers at corner of Grand and Kalamazoo Sts.

Referred to the Mayor and City Attorney.

Petition filed for rezoning - Z-24-85 - 2420 N. Grand River, described as, Lot 17, Plat No. 57, SW ¼ of Section 4, the east ½ of Section 5 and NW ¼ of Section 9, T4N, R2W, City of Lansing, to be rezoned from "A" Residential to "G-2" Wholesale District by Commercial Insulation, Inc.

Referred to the Mayor and Planning Board.

Michigan Liquor Control Commission submits request for entertainment permit from Driftwood, Inc., 5910 S. Pennsylvania to be held in conjunction with their 1985 Class C licensed business with Dance permit.

Referred to the Mayor and the Committee on General Services.

Application for Commercial Redevelopment District at 218-232 S. Capitol Ave. filed by Accident Fund of Michigan.

Referred to the Mayor and Committee on Economic Development.

Application for Industrial Facilities Exemption Certificate filed by Cameron Tool Corp. at 1800 Bassett Avenue.

Referred to the Mayor and Committee on Economic Development.

Letter of complaint and petition from residents on Carrier St. regarding 634 Carrier St.

Referred to the Mayor and Planning Division.

Letter from Michael A. Boulos, Okemos, MI, in support of preserving John Q's in the Olds Plaza.

Received and placed on file.

Michigan Department of Natural Resources submits permit for construction of a parking lot in the floodplain of the Grand River for Estes Furniture Co., 101 E. Grand River Ave.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA:

Mayor's letters 4a (Resignation of Ted Tycocoki from Zoning Appeals Board) and 4q (Interim Report on the City's Financial Condition - Estimate of Fund Balance on June 30, 1985).

REPORT OF COMMITTEE

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

Auctioneer: Robert J. Hamel.
Pool Room: Velvet Rail Billiards.
Adult Bookstore and Theatre: New Art Theatre, Inc.

Signed,

Sidney Worthington
Alfreda Schmidt
Charles Creamer
Committee on General Services

By COUNCILMEMBER WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Schmidt, Worthington—7.

NAYS: Councilmember Lindemann—1.

REPORTS OF OFFICERS AND BOARDS

August 20, 1985

President Charles Creamer
and Members of Lansing City Council

RE: Claim of Lloyd Gibbs in the amount of \$211.80.

Dear President Creamer
and Members of City Council:

The claimant submitted this claim for reimbursement of a special assessment for cleaning up junk placed on property owned by him at 114 Baker Street, Lansing, Michigan. Claimant alleged that he received the Notice of Violation and arranged for clean-up for which he paid \$75.00.

Investigation with the Building Safety Division of the Planning Department revealed that the Property Inspector found the same articles on the property at the time of reinspection 13 days following his original inspection. Consequently, the City contracted with Wemco Construction and Development Company to remove the offensive articles.

The invoice submitted to the City by the Contractor indicated that the clean-up required 1¼ hours of labor, ½ hour of travel time and a dump charge resulting in \$81.80 in Contractor costs. In addition to the cost itemization, the invoice specifically cited 114 and 115 East Baker Street as the location on which the clean-up was performed. The Safety Division further indicated that if the Contractor had found the property to be in compliance, it would have been his custom and practice to document his observation on the invoice.

Since investigation did not reveal any error in inspection, clean-up, or billing, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this Claim be denied.

Carried.

August 20, 1985

President Charles Creamer
and Members of Lansing City Council

RE: Claim of Bath Charter Township.

Dear President Creamer
and Members of City Council:

Bath Charter Township submitted a claim for reimbursement for an ambulance run to Priggooris Park on April 18, 1985. The park is owned by the City of Lansing but located in Bath Township.

Investigation with both the Lansing Fire Department and Bath Township revealed that the Lansing Fire Department was not contacted on the date in question to respond to the emergency call.

Further investigation with the Bath Township Clerk, Kathleen B. McQueen, revealed that the claimant did not submit this claim with the expectation of being reimbursed by the City of Lansing. Apparently, the intent was simply to bring the problems associated with the Park to the attention of the City of Lansing. Additionally, although it is not legally obligated to do so, the Lansing Fire Department is presently servicing emergency calls to the Park that are forwarded by the Dispatch Center.

Based on the above facts, it is the recommendation of this office that the claim be denied.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this Claim be denied.

Carried.

August 23, 1985

President Charles Creamer
and Members of Lansing City Council

RE: Claim of Fredric Lee McLaughlin in the amount of \$485.00.

Dear President Creamer
and Members of City Council:

On July 19, 1985 a claim regarding removal of a trash assessment placed upon a vacant parcel of property on Everett Lane was referred to this office for review. The relevant facts are as follows:

On April 15, 1985 the Claimant, Fredric Lee McLaughlin purchased Lot No. 4, Beckwith Subdivision and recorded the deed with the Ingham County Register of Deeds. On May 30, 1985 an inspection from the City Building Safety Division cited the taxpayer of record identified in the records of the City Assessor's Office for the Lot No. 4, Beckwith's Subdivision for excessive growth of grass and weeds and pick up of trash and debris. Since the City Assessor's records identified the taxpayer of record on the vacant lot on May 30, 1985 as Michael J. Wichowski, the violation notice was mailed to Mr. Wichowski. On June 11, 1985, the City Inspector reinspected the subject property and upon determining the property to still be in violation referred the matter to City Contractor to clear up. On June 17, 1985, the City Contractor removed the various debris including brush for a total cost of \$485.00.

On June 23, 1985 the Claimant drove by the subject property and observed that the brush had been removed. The Claimant proceeded to contact the City Inspector and was informed of the action which was taken in regard to the subject property.

Pursuant to Section 9A-11(D) of the Lansing Building Code a written notice of violation regarding the

accumulation of debris and brush was sent to the person identified in the last tax assessment roll of the City as the owner of record. That action was in accord with MCLA 211.44 which provides that the tax statement shall be mailed to each taxpayer at the taxpayer's last known address on the tax roll. Additionally, Section 9A-11 of the Building Code provides in part that the failure to receive such notice does not affect the validity of the proceedings taken. Examination of the City Assessor's records reveals that Claimant has now been identified as the owner of record on the City tax assessment rolls. Although notice of the violation was mailed to Mr. Wichowski, there is no record of the notice having been returned to the City as undeliverable or having been forwarded to the Claimant by Mr. Wichowski.

Applying the aforementioned statutory and local law to the above presented facts, it is clear that the City acted properly and is not legally required to waive the payment of the assessment. Therefore it is the recommendation of this office that this special assessment for debris and brush pickup in the amount of \$485.00 should remain on the tax roll.

Respectfully submitted,

Stephen R. Sawyer
City Attorney

By COUNCILMEMBER BELEN—

I move that this letter be tabled.

Adopted by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Schmidt, Worthington—7.

NAYS: Councilmember Lindemann—1.

DATE: 8/16/85

TO: President Creamer and Members, Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application - Tri-County Bicycle Association

Attached is an application for a parade permit from the above-referenced organization, scheduled for 8:30 a.m. on Thursday, August 29, 1985, which has been approved by all the necessary departments.

Our personnel estimate this will cost the City a total of \$213.68, which represents one Sergeant, nine Police Officers and ten vehicles for one hour.

This is being sent to you for final action.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Police Chief and this parade application be approved.

Carried.

August 21, 1985

Mayor Terry J. McKane
President Charles Creamer and
Members of the Lansing City Council

Dear Mayor McKane and President Creamer:

The Lansing Economic Development Corporation has approved Letters of Inducement for two new projects involving the renovation of the property at 935 N. Washington Ave. (Lindsey Centre) and the remodeling and equipping of laboratory facilities at the Snell Environmental Group offices at 1120 May Street.

For these projects to proceed, the City Council must designate a project area, establish a project district

area, and confirm the mayoral appointment of two additional directors to the EDC Board. Attached you will find a resolution from the EDC requesting that these actions occur.

Feel free to contact me if we can be of service.

Sincerely,

Emerson Ohl
Executive Director

Referred to the Committee on Economic Development.

DATE: 8/20/85

TO: Council President Creamer and Lansing City Councilmembers

FROM: Mayor Terry J. McKane

SUBJECT: Submission of attached correspondence from Ted Tycocki.

RE: Resignation from Zoning Appeals Board.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Received and placed on file.

DATE: 8/22/85

TO: Council President Creamer and Lansing City Councilmembers

FROM: Mayor Terry J. McKane

SUBJECT: Submission of attached correspondence from Planning and Municipal Development.

RE: Sale of Vacant Land on Ballard Street to Mt. Zion Baptist Church (Neighborhood Development Area No. 3).

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 8/22/85

TO: Council President Creamer and Lansing City Councilmembers

FROM: Mayor Terry J. McKane

SUBJECT: Submission of attached correspondence from Public Service Director.

RE: Trash in R.O.W. Removal Assessment for December, 1985 Tax Roll (V-11).

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and this trash in R.O.W. removal assessment be placed on the Dec. 1985 tax roll in the amount of \$1,245.71.

Carried.

DATE: 8/22/85

TO: Council President Creamer and Lansing City Councilmembers

FROM: Mayor Terry J. McKane

SUBJECT: Submission of attached correspondence from Planning and Municipal Development.

RE: Trash Removal Assessment - U-29 December 1985 Tax Roll \$7,449.46.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and this trash removal assessment in the amount of \$7,449.46 be placed on the Dec. 1985 tax roll U-29.

Carried.

DATE: 8/22/85

TO: Council President Creamer and Lansing City Councilmembers

FROM: Mayor Terry J. McKane

SUBJECT: Submission of attached correspondence from Planning and Municipal Development.

RE: Grass Cutting Assessment for L-27 December 1985 Tax Roll \$2,597.50.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and this Grass Cutting assessment be placed on the Dec. 1985 tax roll L-27 in the amount of \$2,597.50.

Carried.

DATE: 8/22/85

TO: Council President Creamer and Lansing City Councilmembers

FROM: Mayor Terry J. McKane

SUBJECT: Submission of attached correspondence from Planning and Municipal Development.

RE: Z-18-85. 3121 South Cedar Street.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

DATE: 8/22/85

TO: Council President Creamer and Lansing City Councilmembers

FROM: Mayor Terry J. McKane

SUBJECT: Submission of attached correspondence from Planning and Municipal Development.

RE: Z-19-85, 6070-6200 South Logan Street.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

DATE: 8/22/85

TO: Council President Creamer and Lansing City Councilmembers

FROM: Mayor Terry J. McKane

SUBJECT: Submission of attached correspondence from Planning and Municipal Development.

RE: Z-20-85, 1616-1628 South Cedar Street.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

DATE: 8/22/85

TO: Council President Creamer and Lansing City Councilmembers

FROM: Mayor Terry J. McKane

SUBJECT: Submission of attached correspondence from Planning and Municipal Development.

RE: Z-21-85, 5300-5316 South Pennsylvania Ave.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

DATE: 8/22/85

TO: Council President Creamer and Lansing City Councilmembers

FROM: Mayor Terry J. McKane

SUBJECT: Submission of attached correspondence from Planning and Municipal Development.

RE: Z-23-85, 426 East Northrup St.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

DATE: 8/22/85

TO: Council President Creamer and Lansing City Councilmembers

FROM: Mayor Terry J. McKane

SUBJECT: Submission of attached correspondence from Planning and Municipal Development.

RE: SLU-14-85, 5725 Orchard Court.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

DATE: 8/22/85

TO: Council President Creamer and Lansing City Councilmembers

FROM: Mayor Terry J. McKane

SUBJECT: Submission of attached correspondence from Planning and Municipal Development.

RE: P-1-85, Robins Meadow - Tentative Preliminary Plat.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

DATE: 8/22/85

TO: Council President Creamer and Lansing City Councilmembers

FROM: Mayor Terry J. McKane

SUBJECT: Submission of attached correspondence from Planning and Municipal Development.

RE: Property at Corner of River St. and Lenawee St.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Public Properties and Safety.

DATE: 8/22/85

TO: Council President Creamer and Lansing City Councilmembers

FROM: Mayor Terry J. McKane

SUBJECT: Submission of attached correspondence from Planning and Municipal Development.

RE: P-2-85, Lawrence Subdivision Tentative Preliminary Plat.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

DATE: 8/22/85

TO: Council President Creamer and Lansing City Councilmembers

FROM: Mayor Terry J. McKane

SUBJECT: Submission of attached correspondence from Planning and Municipal Development.

RE: LS-13-85, 1510 Glenrose Ave.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Physical Development.

DATE: 8/22/85

TO: Council President Creamer and Lansing City Councilmembers

FROM: Mayor Terry J. McKane

SUBJECT: Submission of attached correspondence from Budget Director.

RE: Transfer of Funds.

The attached correspondence is submitted with my concurrence for your action.

Terry J. McKane
Mayor

Referred to the Committee on Ways and Means.

DATE: 8/23/85

TO: Council President Creamer and Lansing City Councilmembers

FROM: Mayor Terry J. McKane

SUBJECT: Submission of attached correspondence from Finance Department.

RE: Interim Report on the City's Financial Condition Estimate of Fund Balance on June 30, 1985.

The attached correspondence is submitted for your information.

Terry J. McKane
Mayor

Referred to the Committee on Ways and Means.

RESOLUTIONS

By COMMITTEE ON GENERAL SERVICES—

Resolution #0407

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Building Safety Division of the Department of Planning and Municipal Development, determined that the building located at 604 S. Magnolia Avenue, legally described as:

Lot 71, Lansing Addition Company Sub. - Rec L 5 P 20.

was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan, and

Whereas, a hearing was held by the Hearing Officers on May 30, 1985, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan, and

Whereas, the City Council scheduled a hearing on August 19, 1985 to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe.

Now Therefore Be It Resolved, that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building, and

Be It Further Resolved, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within ninety (90) days from the date of this resolution, and

Be It Further Resolved, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building, and

Be It Further Resolved, that the cost of such demolition shall be a lien against the real property and

shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located, and

Be It Finally Resolved, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By COUNCILMEMBER CREAMER—

That the resolution be amended as follows:

That in the 6th paragraph the "ninety (90) days" be changed to read "twenty (20) days".

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolution #0408

Resolved by the City Council of the City of Lansing:

That the request from Red Rail, Inc., to the late Scott Harrington as stockholder, and to add Edward P. Graham as new stockholder. In a 1985 class C licensed business with Dance Permit, located at 3323 N. East St. is hereby approved, provided all necessary administrative actions are completed without objection.

By COUNCILMEMBER WORTHINGTON—

That the resolution be amended as follows:

That in the first line after the word "to" insert the word "drop" so that it reads "to drop the".

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolution #0408

Resolved by the City Council of the City of Lansing:

Whereas, The City Council by resolution adopted April 23, 1984, set a policy on monthly permits for outlying parking lots providing that no more than 20 percent of lot spaces be used for reserved monthly parking, and

Whereas, surface Lot 37 (Alex's lot) will be removed from the Parking System when construction on the new Convention/Exhibition Facility begins in late September or early October, and

Whereas, the loss of Lot 37 will affect 230-250 monthly permit parkers, and

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have recommended that the City Council waive the 20 percent restriction for Lot 6 (Kalamazoo and River Streets) and Lot 15 (500 Block of E. Michigan Ave.) while Lot 37 is out of service.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves a waiver of its April 23, 1984 policy restricting monthly permit spaces in outlying parking lots for the period during which Lot 37 is out of service, and

Be It Further Resolved, up to 48 parking spaces in Lot 6 and up to 52 parking spaces in Lot 15 may be used for monthly permit parking under this waiver.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolution #0410

Resolved by the City Council of the City of Lansing:

Whereas, the Committee on Ways and Means has reviewed and recommended approval of the attached Memorandum of Agreement between the City of Lansing and Continental Cablevision, Inc., to provide and install video equipment for Channel 28, and

Whereas, the agreement has been reviewed and approved by the City Attorney's Office, the City Controller, and the Purchasing Director.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the attached Memorandum of Agreement, and authorizes the Mayor and City Clerk to sign on behalf of the City of Lansing.

Adopted by the following vote:

Unanimously.

SIDEWALK RESOLUTION

By COUNCILMEMBER BELEN—

Resolution #0411

Resolved by the City Council of the City of Lansing:

That it is a necessary public improvement and it is hereby ordered that the sidewalk shall be reconstructed in front of, or adjacent to the following described properties:

P.S. 45035

Parcel	Address	50/50 Shared Resp. Square Feet	100% City Resp. Square Feet	100% Owner Resp. Square Feet
3301-16-361-071	518 W. St. Joseph	21	45	
3301-16-361-061	522 W. St. Joseph		45	135
3301-16-361-051	526 W. St. Joseph	63		60
3301-16-361-101	508 W. St. Joseph	18	30	
3301-16-361-082	514 W. St. Joseph	12	30	
3301-16-384-041	120 W. St. Joseph	192		30
Intersection	Len. & Cap. NW		60	54
Intersection	Len. & Cap. SW		90	50
3301-16-380-073	501 Town. on Len.	27	30	24
3301-16-377-001	Reutter Park	18		
Intersection	Len. & Town. NE			
Intersection	Len. & Town. SE			
Intersection	Len. & Town NW		51	54
Intersection	Len. & Town. SW		48	54
3301-16-379-082	301 W. Lenawee	120		48
3301-16-379-091	319 W. Lenawee	240	72	
3301-16-379-082	301 W. Lenawee Pkg.	294	96	
Intersection	Len. & Walnut NE			36
3301-16-376-002	303 W. K'zoo & Wal. Ing. Co. Bldg. Pkg.	294	84	57
3301-16-354-041	402 S. Walnut			54
3301-16-354-041	420 S. Walnut	48	78	
3301-16-354-092	426 S. Walnut	153	18	81

Parcel	Address	50/50 Shared Resp. Square Feet	100% City Resp. Square Feet	100% Owner Resp. Square Feet
3301-16-358-101	534 S. Walnut	63	24	72
3301-16-358-111	528 S. Walnut			120
3301-16-358-121	524 S. Walnut			96
Intersection	Savoy Ct. Ent.			60
3301-16-379-001	324 W. Hills. on Wal. 36			
3301-16-358-002	Vacant Lot #2			40
3301-16-358-201	4 Savoy Court			20
3301-16-358-191	6 Savoy Court	165	45	
3301-16-358-201	8 Savoy Court			35
3301-16-358-161	9 Savoy Court			40
3301-16-358-151	7 Savoy Court		20	
3301-16-358-141	5 Savoy Court		60	
3301-16-358-121	1 Savoy Court		70	
3301-16-382-021	611 S. Walnut		24	
3301-16-382-011	607 S. Walnut		123	
3301-16-382-001	327 Hills. on Wal.		24	
3301-16-362-081	600 S. Walnut		99	30
3301-16-362-071	Lot #11 Vacant		210	60
3301-16-362-061	610 S. Walnut		24	
3301-16-362-051	Vacant Parcel			336
3301-16-377-001	Reutter Pk. & Town. 48			
3301-16-377-001	Reut. Pk. (BWL)			72
3301-16-376-002	303 W. K'zoo Pkg.	621	75	112
3301-16-379-082	301 W. Len & Town. 186			
3301-16-379-082	520 Townsend	80		72
3301-16-379-061	524-6 Townsend		72	
3301-16-379-051	532 Townsend		48	
3301-16-380-061	535 Townsend		210	30
3301-16-380-073	501 Townsend		168	
3301-16-382-071	606 Townsend		54	90
3301-16-382-061	620 Townsend		120	24
Intersection	Town. & St. Joe. NW			80 40
Intersection	Town. & St. Joe. NE			35
3301-16-383-002	Vacant Lot		474	48
Intersection	S. Cap. & Len. SE			36
Intersection	S. Cap. & Len. NE			48
3301-16-378-021	431 S. Capitol		24	
3301-16-378-011	427 S. Capitol			24
3301-16-378-001	123 W. K'zoo on Cap. 51		24	
3301-16-383-052	600 S. Capitol		96	99
Intersection	Cap. & St. Joe. NE			54
3301-16-384-041	118-20 St Joe on Cap 30		120	
3301-16-384-021	615 S. Capitol		96	36
3301-16-384-011	611 S. Capitol		96	42 72
3301-16-384-001	605 S. Capitol		96	54

and that the owners of said above described lands are hereby required to commence reconstruction within twenty (20) days from the date of this publication in accordance with Section 28-41 of the Code of Ordinances, or the Director of Public Service is authorized and directed to proceed to reconstruct said concrete sidewalk in accordance with Section 28-42 of the Code of Ordinances. The expense of constructing the same shall be paid out of the contingent fund, and the City Assessor is hereby directed to assess the expense of reconstructing the same against said described land in accordance with Section 28-44 of the Code of Ordinances.

The City Clerk and the Public Service Director are hereby directed to give due notice hereof, by publication of a notice of this resolution as provided by Section 28-41, Chapter 28 of the Code of Ordinances.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER BELEN—

That this resolution be substituted for the one that is in the packet.

Carried.

By COUNCILMEMBERS ADADO, BENAVIDES, BELEN, LINDEMANN, AND SCHMIDT—

Resolution #0412

Resolved by the City Council of the City of Lansing:

Whereas, by authority granted in the Charter of the City of Lansing in Article 2 - Chapter 4 (2-407) the City Council may submit to the voters any proposed ordinances or any proposal for the repeal or amendment of an ordinance, and

Whereas, there are questions regarding the amendment to the General Employees' Retirement System Ordinance passed on June 24, 1985.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby submits the following proposal to the electors of the City of Lansing for their action at the General Election to be held on Tuesday November 5, 1985:

FORM OF BALLOT

Shall Section 26-23, Sub-Paragraph (C) of the General Employees' Retirement System of the City of Lansing be repealed?

(C) If any member who has eight (8) or more years of credited service, and who either was a member of the executive pay plan of the City on February 15, 1985, or was a member of council or internal audit staff as of February 15, 1985, separates from the employ of the City prior to obtaining the age requirements set forth in section 26-21(A), that member shall be entitled to receive upon that member's date of separation the regular age and service retirement allowance provided for in Section 26-22.

() YES

() NO

Be It Further Resolved, that the City Clerk be and she is hereby directed to prepare sufficient ballots to supply the demand for absent voters ballots, as set forth above, and

Be It Further Resolved, that this resolution containing the above proposal be posted in a conspicuous place in each polling place in the City of Lansing, and

Be It Further Resolved, that the votes cast upon such question shall be counted, canvassed, and returned, and that the results thereof determined in a like manner, and by the same officials as prescribed for in the general election, and

Be It Further Resolved, that the City Clerk certify the ballot wording to the County Clerk in conformance with the requirements of state law, and

Be It Finally Resolved, that the City Clerk give ten (10) days notice of the submission of said proposal to the electors, such notice to conform to the provisions of the City Charter and state law relative to elections and further that she cause a true copy of this resolution to be published and circulated twice in a daily newspaper in the City of Lansing, and that said first publication be at least ten (10) days prior to the date upon which said proposal is to be voted upon as herein provided.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolution #0413

Resolved by the City Council of the City of Lansing:

Whereas, Mrs. Ruth Richardson is retiring as Executive Director of Community Nursery where she has served continuously since 1948, as a teacher until 1956 and as Executive Director from 1956 until now, and

Whereas, Ruth moved from Oklahoma to Michigan in 1928, graduated as valedictorian from Big Rapids High School in 1938 and went on to graduate from Ferris State College as a member of Delta Sigma Theta Sorority, and

Whereas, after teaching elementary school in Lake County, she took over the nursery at 1400 Olds Avenue here in Lansing acting as teacher, cook, janitor, administrator and chief "bottle wasser" for a grand total of six children, and

Whereas, after much shifting around, the Community Nursery was finally located at 1309 W. Washtenaw Street, and

Whereas, Ruth's community involvements are unparalleled, including work with the YWCA, Big Brothers-Big Sisters, Lansing School District, Michigan State University, Greater Lansing Urban League, the NAACP and the City of Lansing, and

Whereas, her significant contribution to this City, not to mention her positive impact on over 2,000 children over the years made her an obvious choice for the YWCA's Diana Award in 1983.

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby officially salutes and applauds Ruth Richardson for her outstanding record of achievement and wishes her the very best in a well deserved retirement.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolution #0414

Resolved by the City Council of the City of Lansing:

That the City Council meeting of Monday, September 2, 1985 be changed to Tuesday, September 3, 1985 due to Labor Day Holiday being Monday, September 2, 1985.

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan providing that the code of ordinances be amended by authorizing and providing for the issuance of refunding revenue bonds to refund all or a part of the outstanding sewage disposal system revenue bonds, 1983 series and sewage disposal system revenue bonds, 1984 bonds of equal standing and priority of lien for the purpose of providing for improvements and extensions to the existing sewage disposal system, under the provisions of Act 94, Public Acts of Michigan, 1933, as amended, and Ordinance No. 29-A and 30-A of the City of Lansing, providing for the issuance and sale of revenue bonds and to pay certain costs relating to the revenue bonds; providing for the retirement and security of the bonds herein authorized and providing for other matters relative to the bonds.

Was introduced by Councilmember Blair, read a first and second time by its title, and referred to the Committee on Ways and Means.

By COUNCILMEMBER BELEN—

That councilmember Creamer be excused from voting on this ordinance.

Carried.

REPORT OF COMMITTEE

The Committee on Ways and Means, to whom was referred the ordinance providing for the issuance of refunding revenue bonds to refund all or a part of the outstanding sewage disposal system revenue bonds, 1983 series and sewage disposal system revenue bonds, 1984 bonds of equal standing and priority of lien for the purpose of providing for improvements and extensions to the existing sewage disposal system, under the provisions of Act 94, Public Acts of Michigan, 1933, as amended, and Ordinance No. 29-A and 30-A of the City of Lansing, providing for the issuance and sale of revenue bonds and to pay certain costs relating to the revenue bonds; providing for the retirement and security of the bonds herein authorized and providing for other matters relative to the bonds,

Reports as follows:

That said ordinance be passed.

Signed,

Committee on Ways and Means

By COUNCILMEMBER BLAIR—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

ORDINANCES

By COUNCILMEMBER BLAIR—

The Committee reported it had considered an ordinance providing, that the Code of Ordinances be amended by authorizing and providing for the issuance of refunding revenue bonds to refund all or a part of the outstanding sewage disposal system revenue bonds, 1983 series and sewage disposal system revenue bonds, 1984 bonds of equal standing and priority of lien for the purpose of providing for improvements and extensions to the existing sewage disposal system, under the provisions of Act 94, Public Acts of Michigan, 1933, as amended, and Ordinance No. 29-A and 30-A of the City of Lansing, providing for the issuance and sale of revenue bonds and to pay certain costs relating to the revenue bonds; providing for the retirement and security of the bonds herein authorized and providing for other matters relative to the bonds,

And recommended that the ordinance be passed.

Carried.

By COUNCILMEMBER BLAIR—

Resolved by the City Council of the City of Lansing, that the ordinance of the City of Lansing, Michigan providing that the code of ordinances be amended by authorizing and providing for the issuance of refunding revenue bonds to refund all or a part of the outstanding sewage disposal system revenue bonds, 1983 series and sewage disposal system revenue bonds, 1984 bonds of equal standing and priority of lien for the purpose of providing for improvements and extensions to the existing sewage disposal system, under the provisions of Act 94, Public Acts of Michigan, 1933, as amended, and Ordinance No. 29-A and 30-A of the City of Lansing, providing for the issuance and sale of revenue bonds and to pay certain costs relating to the revenue bonds; providing for the retirement and security of the bonds herein authorized and providing for other matters relative to the bonds be placed on

order of immediate passage.

Carried.

By COUNCILMEMBER BLAIR—

Resolved by the City Council of the City of Lansing, that the ordinance of the City of Lansing, Michigan providing that the code of ordinances be amended by authorizing and providing for the issuance of refunding revenue bonds to refund all or a part of the outstanding sewage disposal system revenue bonds, 1983 series and sewage disposal system revenue bonds, 1984 bonds of equal standing and priority of lien for the purpose of providing for improvements and extensions to the existing sewage disposal system, under the provisions of Act 94, Public Acts of Michigan, 1933, as amended, and Ordinance No. 29-A and 30-A of the City of Lansing, providing for the issuance and sale of revenue bonds and to pay certain costs relating to the revenue bonds; providing for the retirement and security of the bonds herein authorized and providing for other matters relative to the bonds be now passed.

Adopted by the following vote:

Unanimously.

Ordinance No. 31-A

An ordinance authorizing and providing for the issuance of refunding revenue bonds to refund all or a part of the outstanding sewage disposal system revenue bonds, 1983 series and sewage disposal system revenue bonds, 1984 bonds of equal standing and priority of lien for the purpose of providing for improvements and extensions to the existing sewage disposal system, under the provisions of Act 94, Public Acts of Michigan, 1933, as amended, and Ordinance No. 29-A and 30-A of the City of Lansing, providing for the issuance and sale of revenue bonds and to pay certain costs relating to the revenue bonds; providing for the retirement and security of the bonds herein authorized and providing for other matters relative to the bonds.

Whereas, the City of Lansing, Counties of Ingham and Eaton, State of Michigan (the "City"), by Ordinance No. 29-A has heretofore issued and sold Sewage Disposal system Revenue Bonds, 1983 Series, in the aggregate principal sum of Eight Million Dollars (\$8,000,000) having serial maturities on May 1st of each of the years 1985 to 2004, inclusive, for improvements and extensions to the Sewage Disposal System, and

Whereas, it is now deemed necessary by the City Council of the City of Lansing to acquire and construct the Project (as hereinafter described), and to finance the cost thereof by the issuance of the 1985 Bonds (as hereinafter defined) as specified in this Ordinance and to refund all or part of the Outstanding Bonds (as hereinafter defined) as determined in the resolution of the City Council authorizing the 1985 Bonds, and

Whereas, the City has received a proposal from Van Kampen Merritt, Inc., of Naperville, Illinois to purchase the 1985 Bonds issued to refund all or part of the Outstanding Bonds (as hereinafter defined) and to pay for the Project, and

Whereas, Section 19(a) of Ordinance No. 29-A authorizes the issuance of bonds of equal standing and priority of lien with the outstanding bonds authorized by Ordinance 29-A as follows:

(a) For subsequent repairs, extensions, enlargements and improvements to the System or for the purpose of refunding part of any Bonds then outstanding and paying costs of issuing such additional Bonds including deposits which may be required to be made to the Bond Reserve Account. Bonds for such purposes shall not be issued pursuant to this subparagraph (a) unless the average actual or augmented Net Revenues of the

System for the then last two (2) preceding twelve month operating years or the actual or augmented Net Revenues for the last preceding twelve month operating year, if the same shall be lower than the average, shall be equal to at least one hundred thirty percent (130%) of the maximum amount of principal and interest thereafter maturing in any operating year on the then outstanding Bonds and on the Additional Bonds then being issued. If the Additional Bonds are to be issued in whole or in part for refunding outstanding Bonds the maximum annual principal and interest requirements shall be determined by deducting from the principal and interest requirements for each operating year the annual principal and interest requirements of any Bonds to be refunded from the proceeds of the Additional Bonds. For purposes of this subparagraph (a) the City may elect to use as the last preceding operating year any operating year ending not more than sixteen months from the date of delivery of the Additional Bonds and as the next to last preceding operating year, any operating year ending not more than twenty-eight months from the date of delivery of the Additional Bonds. If the System rates, fees or charges shall be increased at or prior to the time of authorizing the Additional Bonds, the Net Revenues for each of the two preceding operating years shall be augmented by an amount reflecting the effect of the increase had the System's billings during such operating years been at the increased rates. In addition, the actual Net Revenues for each of the two preceding operating years may be augmented by the estimated increase in Net Revenues to accrue as a result of the acquisition of the repairs, extensions, enlargements and improvements to said System to be paid in whole or in part from the proceeds of the Additional Bonds to be issued. In addition, the actual Net Revenues may be augmented by an amount equal to the investment income representing interest on investments estimated to be received each operating year from the addition to the Bond Reserve Account to be funded from the proceeds of the Additional Bonds being issued. Determination by the Council as to existence of conditions permitting the issuance of Additional Bonds shall be conclusive. No Additional Bonds of equal standing as to the Net Revenues of the System shall be issued pursuant to the authorization contained in this subparagraph if the City shall then be in default in making its required payments to the Operating and Maintenance Fund or the Redemption Fund.

(b) For refunding a part of the outstanding Bonds and paying costs of issuing such Additional Bonds including deposits which may be required to be made to the Bond Reserve Account. No Additional Bonds shall be issued pursuant to this subsection unless the maximum amount of principal and interest maturing in any operating year after giving effect to the refunding shall be less than the maximum amount in any operating year prior to giving effect to the refunding.

Whereas, the City has met or will meet all the conditions and requirements of Section 19 of Ordinance No. 29-A for the issuance of bonds, and

Whereas, all things necessary to the authorization and issuance of the 1985 Bonds under the Constitution and laws of the State of Michigan, and the Charter and Ordinances of the City and particularly Act 94, Public Acts of Michigan, 1933, as amended and Ordinances Nos. 29-A and 30-A have been done and the Council is now empowered and desires to authorize the issuance of the 1985 Bonds.

Now, Therefore, the City of Lansing Ordains:

Section 1. Definitions. All terms not defined herein shall have the meaning set forth in Ordinance 29-A and whenever used in this Ordinance, except where otherwise indicated by the context, the following terms shall have the following meanings:

(a) "1985 Bonds" means the Bonds authorized by

this Ordinance.

(b) "Ordinance" means this ordinance and any ordinance or resolution amendatory of or supplemental hereto.

(c) "Outstanding Bonds" means the outstanding Sewage Disposal System Revenue Bonds, Series 1983, bonds authorized by Ordinance No. 29-A and the Sewage Disposal System Revenue Bonds, Series 1984 authorized by Ordinance 30-A.

(d) "Project" means the improvements and extensions to the System described on Exhibit A attached hereto to be acquired with a portion of the 1985 Bonds.

Section 2. Conditions Permitting Issuance of Refunding Additional Bonds. Pursuant to Section 19 of Ordinance No. 29-A, the Council hereby determines that: (a) The average actual or augmented Net Revenues of the System for the last two (2) preceding twelve month operating years ending June 30, 1983 and June 30, 1984 or the actual or augmented Net Revenues for the last preceding twelve month operating year, if the same is lower than the average, is equal to at least one hundred thirty percent (130%) of the maximum amount of principal and interest thereafter maturing in any operating year on the Outstanding Bonds and on the 1985 Bonds less the annual principal and interest requirements for the Outstanding Bonds to be refunded; (b) The City is not in default in making its required payments to the Operation and Maintenance Fund, or the Redemption Fund established by Ordinance No. 29-A; (c) The maximum amount of principal and interest maturing in any operating year after giving effect to the refunding is less than the maximum amount of principal and interest maturing in any operating year prior to the refunding with respect to the portion of the 1985 Bonds issued to refund the Outstanding Bonds.

Section 3. Cost; Useful Life. The cost of the Project is estimated to be Thirty-Six Million Six Hundred Thirty-eight Thousand Dollars (\$36,638,000) including the payment of incidental expenses as specified in Section 4 of this Ordinance, which estimate of cost is hereby approved and confirmed, and the period of usefulness of the Project is estimated to be not less than forty (40) years.

Section 4. Payment of All or Part of Outstanding Bonds; Refunding Bonds Authorized. To pay part of the cost refunding all or a portion of the Outstanding Bonds as determined by the City Council in the resolution authorizing sale of the 1985 Bonds, and to pay the cost of the Project, and to pay the cost of issuing the 1985 Bonds including the payment of legal, financial, bond insurance, underwriters discount and other expenses incident thereto and incident to the issuance and sale of the 1985 Bonds, the City shall borrow the sum not to exceed Thirty-seven Million Dollars (\$37,000,000), as finally determined upon the sale thereof, and issue the 1985 Bonds therefor pursuant to the provisions of Act 94 said 1985 Bonds to have equal standing and priority of lien with any of the Outstanding Bonds which are not refunded pursuant to this Ordinance. The 1985 Bonds shall be issued in the principal amount of not to exceed Five Million Nine Hundred Ten Thousand Dollars (\$5,910,000) for the purpose of acquiring and constructing the Project and to provide an additional deposit to the Bond Reserve Account and in the principal amount of not to exceed Thirty-one Million Ninety Thousand Dollars (\$30,090,000) for the purpose of refunding all or part of the Outstanding Bonds, such amount to be finally determined by the City Council in the sales resolution authorizing sale of the 1985 Bonds.

Section 5. 1985 Bond Details, Registration and Execution. The 1985 Bonds shall be designated Sewage Disposal System Revenue and Revenue Refunding Bonds, 1985 Series and shall not be a general obligation

of the City but shall be payable solely out of the Net Revenues. The 1985 Bonds shall be issued in fully-registered form in the denomination of \$5,000 or integral multiples thereof, not exceeding the amount of the 1985 Bonds maturing on the same date that the Bond matures and shall be numbered in consecutive order of authentication from 1 upwards. The 1985 Bonds shall be dated as of September 1, 1985 or such later date as this Council shall approve at the time of the sale, and shall mature on May 1st in the years 1987 to 2006, inclusive or such of those years as shall be determined in the Resolution authorizing sale of the 1985 Bonds.

The 1985 Bonds shall bear interest at a rate or rates to be determined on sale thereof, but in any event not exceeding eleven percent (11%) per annum payable on November 1, 1985, and semi-annually thereafter on May 1st and November 1st of each year, by check drawn on the transfer agent and mailed to the registered owner at the registered address, as shown on the registration books of the City maintained by the transfer agent. Interest shall be payable to the registered owner of record as of the fifteenth day of the month prior to the payment date of each interest payment. The date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the City to conform to market practice in the future. The principal of the Bonds shall be payable at a bank or trust company to be designated by the Director of Finance as a registrar and transfer agent and co-paying agent for the 1985 Bonds. The 1985 Bonds shall be sold at not less than 97.5% of their par value.

The 1985 Bonds may be subject to redemption prior to maturity at the times and prices finally determined by the City Council in the sales resolution authorizing sale of the 1985 Bonds.

The 1985 Bonds shall be signed by the facsimile signature of the Mayor and countersigned by the facsimile signature of the City Clerk. The 1985 Bonds shall have the facsimile corporate seal of the City printed thereon. No 1985 Bond shall be valid until authenticated by an authorized officer of the transfer agent. The 1985 Bonds shall be delivered to the transfer agent for authentication and be delivered by him to the purchaser in accordance with instructions from the Director of Finance upon payment of the purchase price for the 1985 Bonds in accordance with the bid therefor when accepted. Executed blank 1985 Bonds for registration and issuance to transferees shall simultaneously, and from time to time thereafter as necessary, be delivered to the transfer agent for safekeeping.

Any 1985 Bond may be transferred upon the books of the City maintained by the transfer agent by the person in whose name it is registered, in person or by his duly authorized attorney, upon surrender of the bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the transfer agent. Whenever any 1985 Bond or Bonds shall be surrendered for transfer, the transfer agent shall authenticate and deliver a new 1985 Bond or 1985 Bonds, for like aggregate principal amount. The transfer agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer. The City shall not be required (i) to issue, register the transfer of or exchange any 1985 Bond during a period beginning at the opening of business 15 days before the day of the giving of a notice of redemption of 1985 Bonds selected for redemption under this Ordinance and ending at the close of business on the day of that publication, or (ii) to register the transfer of or exchange any 1985 Bond so selected for redemption in whole or in part, except the unredeemed portion of 1985 Bonds being redeemed in part. The City shall give the transfer agent notice of call

for redemption at least 20 days prior to the date notice of redemption is to be given.

Section 6. Municipal Bond Insurance. If municipal bond insurance is purchased in respect of the 1985 Bonds the provisions of this section shall be applicable thereto. If on an interest or principal date the transfer agent determines that there are insufficient funds in the Redemption Fund to make payment on the 1985 Bonds on such payment date, the transfer agent shall notify the insurance company of such deficiency. Such notice shall specify the amount of the anticipated deficiency, the 1985 Bonds to which such deficiency is applicable and whether such 1985 Bonds will be deficient as to principal or interest, or both.

The transfer agent shall, after giving notice to the insurance company as provided above, make available to the insurance company all records relating to the funds and accounts maintained under the Ordinances, and the transfer agent, after receiving such notice, shall make available to the insurance company the registration books of the City maintained by the transfer agent.

The transfer agent shall provide the insurance company with a list of registered owners of the 1985 Bonds entitled to receive principal or interest payments from the insurance company under the terms of the policy, and shall make arrangements with the insurance company (i) to mail checks or drafts to the registered owners of 1985 Bonds entitled to receive full or partial interest payments from the insurance company, and (ii) to pay principal upon 1985 Bonds surrendered to the insurance company by the registered owners of 1985 Bonds entitled to receive full or partial principal payments from the insurance company.

The transfer agent shall also notify registered owners of 1985 Bonds entitled to receive the payment of principal or interest thereon from the insurance company (i) as to the fact of such entitlement, (ii) that the insurance company will remit to them all or a part of the interest payments next coming due, (iii) that should they be entitled to receive full payment of principal from the insurance company they must tender their 1985 Bonds along with a form of transfer of title thereto for payment to the insurance company and not the transfer agent, and (iv) that should they be entitled to receive partial payment of principal from the insurance company they must tender their 1985 Bonds for payment thereon first to the transfer agent, who shall note the portion of the principal paid by the transfer agent, and then, along with a form of transfer of title thereto, to the insurance company which will then pay the unpaid portion of principal.

The insurance company shall, to the extent it makes payment of principal of or interest on the 1985 Bonds, become subrogated to the rights of the recipients of such payments in accordance with the terms of their policy.

Section 7. Applicability of Ordinance No. 29-A. Except to the extent supplemented or otherwise provided in this Ordinance, all of the provisions and covenants provided in Ordinance 29-A as supplemented by Ordinance 30-A shall apply to the 1985 Bonds issued pursuant to provisions of this Ordinance, such provisions of said Ordinances being made applicable to the 1985 Bonds herein authorized, the same as though said 1985 Bonds were originally authorized and issued as a part of the Outstanding Bonds issued pursuant to Ordinances 29-A and 30-A.

Section 8. Bond Reserve Account Deposit. From the proceeds of the 1985 Bonds there shall be deposited to the Bond Reserve Account a sum which, together with the sum then on deposit in the Bond Reserve Account, will result in the Bond Reserve Account being equal to the maximum annual principal and interest requirements on the Outstanding Bonds which have not been refunded, if any and the 1985 Bonds.

Section 9. 1985 Bond Proceeds. From the proceeds of sale of the 1985 Bonds there first shall be immediately deposited in the Redemption Fund, an amount equal to the accrued interest and premium, if any, received on delivery of the 1985 Bonds and the City may take credit for the amount so deposited in the Redemption Fund for payment of the next maturing interest on the 1985 Bonds. There shall next be deposited in the Bond Reserve Account an amount necessary to meet the requirements of Section 8 hereof. The portion of the proceeds of the sale of the 1985 Bonds equal to the difference between Five Million Nine Hundred Ten Thousand Dollars (\$5,910,000) and the amount deposited in the Bond Reserve Account in respect of such portion of the 1985 Bonds not issued for the purpose of refunding as determined by the City Council in the sales resolution authorizing sale of the 1985 Bonds, shall be deposited in a bank or banks, designated by the Director of Finance, qualified to act as depository of the proceeds of sale under the provisions of Section 15 of Act 94, in an account designated Sewage Disposal System 1985 Construction Fund (the "Construction Fund"). Monies in the Construction Fund shall be applied solely in payment of the cost of the Project and any costs of engineering, legal, bond insurance premiums, if any, and other expenses incident thereto and to the financing thereof which are attributable to the Five Million Nine Hundred Ten Thousand Dollars (\$5,910,000) of the 1985 Bonds issued to pay for the Project. Payments for construction, either on account or otherwise, shall not be made unless the registered engineer in charge of such work shall file with the City's Department of Public Service a signed statement to the effect that the work has been completed in accordance with the plans and specifications therefor; that it was done pursuant to and in accordance with the contract therefor, that such work is satisfactory and that such work has not been previously paid for.

Any unexpended balance of the proceeds of sale of the 1985 Bonds remaining after completion of the Project in the Construction Fund may in the discretion of the City be used for meeting requirements of the Bond Reserve Account or for further improvements, enlargements and extensions to the System if, at the time of such expenditure, such use is approved by the Department of Treasury Municipal Finance Division, if such permission is then required by law. Any remaining balance after such expenditure shall be paid into the Redemption Fund for the purpose of purchasing of 1985 Bonds or Outstanding Bonds on the open market at not more than the price at which the 1985 Bonds or Outstanding Bonds may next be called for redemption or used for the purpose of calling 1985 Bonds or Outstanding Bonds for redemption.

From the balance of the proceeds of the 1985 Bonds shall be deposited in an escrow fund (the "Escrow Fund") consisting of cash and investments in direct obligations of or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, not redeemable at the option of the issuer and an amount sufficient to pay principal, interest and redemption premiums on the Outstanding Bonds which are refunded and shall be used for such purposes. The Escrow Fund shall be held by a trustee (the "Trustee") in trust pursuant to an escrow agreement (the "Escrow Agreement") which shall irrevocably direct the Trustee to take all necessary steps to pay the principal of and interest on the Outstanding Bonds when due and to call the Outstanding Bonds for redemption, as specified in the Escrow Agreement. The amounts held in the Escrow Fund shall be such that the cash and investments and income received thereon will be sufficient without reinvestment to pay the principal, interest and redemption premiums on the Bonds when due at maturity or call for redemption as required by this Section.

The remaining proceeds of the 1985 Bonds shall be

used to pay the cost of insurance attributable to the refunding portion of the 1985 Bonds thereof, and to secure payment of the Outstanding Bonds to be refunded, as provided in this paragraph. Upon receipt of such proceeds the accrued interest and premium, if any, shall be deposited in the Redemption Fund.

The Trustee under the Escrow Agreement shall be the paying agent for the Outstanding Bonds and the City Council shall authorize the form of and the execution of the Escrow Agreement for and on behalf of the City.

Section 10. 1985 Bond Form. The 1985 Bonds shall be in substantially the following form:

United States of America.

State of Michigan

Counties of Ingham and Eaton

City of Lansing

Sewage Disposal System Revenue and Revenue Refunding Bond

Interest Rate Date of Maturity Date of Original Issue

Registered Owner:

Principal Amount:

Dollars

The City of Lansing, Counties of Ingham and Eaton, State of Michigan, for value received, hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America on the Date of Maturity specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon from the Date of Original Issue or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on November 1, 1985 and semiannually thereafter. Principal of this bond is payable at the principal office of in Detroit, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner hereof not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the payment date as shown on the registration books of the City maintained by the Transfer Agent, by check or draft mailed to the registered owner at the registered address. For the prompt payment thereof, the revenues of the Sewage Disposal System of the City (the "System") including all appurtenances, extensions and improvements thereto, after provision has been made for reasonable and necessary expenses of operation, maintenance and administration, are irrevocably pledged and a statutory first lien thereon is hereby created.

This bond is one of a series of bonds aggregating the principal sum of \$_____, issued pursuant to Ordinance No. 29-A, and Ordinance No. 31-A, duly adopted by the City Council of the City of Lansing and under and in full compliance with the Constitution and statutes of the State of Michigan, including specifically Act 94, Public Acts of Michigan, 1933, as amended, for the purpose of refunding certain outstanding revenue bonds of the City and to finance the costs of improvements to the System and to fund a bond reserve account.

For a complete statement of the revenues from which and the conditions under which this bond is payable, a statement of the conditions under which additional bonds of equal standing may hereafter be issued and

the general covenants and provisions pursuant to which this bond is issued, reference is made to the above-described Ordinances.

Bonds maturing in the years 198— to 199—, inclusive are not subject to redemption prior to maturity.

Bonds maturing in the years 199— to 200—, inclusive, shall be subject to redemption prior to maturity at the option of the City, in such order of maturity as the City shall determine and within a single maturity by lot on any interest payment date on or after May 1, 19—, at par and accrued interest plus a premium as follows:

—% of par value on each bond redeemed prior to May 1, —;—;

—% of par value on each bond redeemed on or after May 1, —, but prior to May 1, —;—;

—% of par value on each bond redeemed on or after May 1, —, but prior to May 1, —;—;

—% of par value on each bond redeemed on or after May 1, —, but prior to May 1, —.

No premium shall be paid on bonds called for redemption on or after May 1, —.

In case less than the full amount of an outstanding bond is called for redemption the transfer agent, upon presentation of the bond called in part for redemption, shall register, authenticate and deliver to the registered owner a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the holders of bonds to be redeemed by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered owner at the address of the registered owner as shown on the registration books of the City. No further interest payable on Bonds called for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided the City has money available for such redemption.

This bond is transferable only upon the books of the City kept for that purpose at the office of the transfer agent by the registered owner hereof in person, or by his attorney duly registered in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the transfer agent duly authorized in writing and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing the bonds, and upon the payment of the charges, if any, therein prescribed.

This bond is a self-liquidating bond and is not a general obligation of the City of Lansing and does not constitute an indebtedness of the City of Lansing within any constitutional, statutory or charter limitation, and is payable both as to principal and interest, solely from the net revenues of the System. The principal and interest on this bond are secured by the statutory first lien hereinbefore described.

The City of Lansing hereby covenants and agrees to fix and maintain at all times while any of such bonds shall be outstanding, such rates for service furnished by the System as shall be sufficient to provide for payment of the interest upon and principal of all bonds payable from the net revenues of the System as and when the same become due and payable, and to maintain a bond and interest redemption fund (including a bond reserve account therefor, to provide for the payment of expenses of administration and operation and such expenses for maintenance of the System as are necessary to preserve the same in good repair and working order, and to provide for such other expenditures and funds for the

System as are required by said Ordinances.

It is hereby certified and recited that all acts, conditions and things required by law precedent to and in the issuance of this bond and the series of bonds of which this is one have been done and performed in regular and due time and form as required by law.

This bond is not valid or obligatory for any purpose until the transfer agent's Certificate of Authentication on this bond has been executed by the transfer agent.

In witness whereof, the City of Lansing, Counties of Ingham and Eaton, State of Michigan, by its Council, has caused this bond to be signed in the name of said City by the facsimile signatures of its Mayor and to be countersigned by the facsimile signature of its City Clerk and the corporate seal of the City to be printed on this Bond all as of the — day of —, 1985.

City of Lansing

By (Facsimile)
Mayor

(Seal)

Countersigned:

(Facsimile)
City Clerk

(Form of Transfer Agent's Certificate of Authentication)

Certificate of Authentication

This bond is one of the Bonds described in the within-mentioned resolution.

Transfer Agent

By _____
Authorized Officer

Date of Registration

Assignment

For value received, the undersigned hereby sells, assigns and transfers unto

Please insert Social Security or other identifying number of Assignee

(please print or type name and address of transferee)

the within bond and all rights thereunder and does hereby irrevocably constitute and appoint _____ attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

In the presence of:

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever. When assignment is made by a guardian, trustee, executor or administrator, an officer of a corporation, or anyone in a representative capacity, proof of his authority to act must accompany the Bond.

Section 11. State Treasurer Approval; Sale of 1985 Bonds. The Clerk shall prepare and submit application

to the Michigan Department of Treasury for its approval of the issuance of the 1985 Bonds. The Budget Director and Director of Finance are hereby authorized to negotiate and subject to the approval of this Council execute a bond purchase agreement with the Purchaser finalizing the details of the 1985 Bonds within the authorized parameters of this Ordinance and to negotiate, approve and execute the Escrow Agreement with the Trustee to be selected by the Council and to approve the circulation of a preliminary and a final official statement describing the 1985 Bonds, and to do all other acts and take all other necessary procedures required to effectuate the sale, issuance and delivery of the 1985 Bonds. It is hereby requested that the State Treasurer waive any requirement for a good faith check in connection with sale of the 1985 Bonds.

Section 12. Repeal, Savings Clause. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are repealed.

Section 13. Severability; Paragraph Headings; and Conflict. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance. The paragraph headings in this Ordinance are furnished for convenience of reference only and shall not be considered to be a part of this Ordinance.

Section 14. Publication and Recordation. This Ordinance shall be published in full in the State Journal, a newspaper of general circulation in the City of Lansing qualified under state law to publish legal notices, promptly after its adoption, and shall be recorded in the Ordinance Book of the City and such recording authenticated by the signatures of the President of the Council and the City Clerk.

Section 15. Effective Date. This Ordinance shall be effective upon its adoption.

Passed and adopted by the City of Lansing, Counties of Ingham and Eaton, State of Michigan, on 1985.

Signed,

.....
President of the City Council

Signed,

.....
City Clerk

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the City Council of the City of Lansing, Counties of Ingham and Eaton, State of Michigan, at a Regular Meeting held on the 26th of August 1985, that proper notice was given to each member of the City Council in accordance with the requirements of the City Charter and Michigan law, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976.

I further certify that the following City Council members were present at said meeting: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington; and that the following City Councilmembers were absent: NONE.

I further certify that City Councilmember Blair moved adoption of said Ordinance and that said motion was supported by City Councilmember Adado.

I further certify that the following City Councilmembers voted for adoption of said Ordinance: Councilmembers Adado, Belen, Benavides, Blair, Lindemann, Schmidt, Worthington; and that the following City Councilmembers voted against adoption of said Ordinance: Councilmember

Creamer abstained from voting due to conflict of interest.

I further certify that said Ordinance has been recorded in the Ordinance Book and that such recording has been authenticated by the signatures of the President of the City Council and the City Clerk.

Rita M. Bauman
City Clerk

Exhibit A

Project Description

1. Wastewater Treatment Plant

This is improvements to the existing facilities originally constructed since the 1930's. Improvements include replacing the grit equipment, improving the aeration/return sludge facilities, addition of secondary effluent pumping and a new chlorination/dechlorination structure. Associated sludge handling improvements include waste activated sludge thickening, additional thermal conditioning equipment, sludge dewatering equipment, and filtrate recycle treatment prior to returning to the process system. Additional improvements such as insulated windows and new ventilation will be added to various structures to make them more energy efficient. Waste heat recovery will be utilized from the incinerator to generate electricity and for process and building heat. All utilities are currently on-site.

2. Sewer System Rehabilitations

Division A - Separate Sewers

The work in this project includes the construction of storm and sanitary sewers in the major separate sewer systems designated in the Lansing SSES as Systems A, C, H, I, K and L. The purpose of this work is to remove the excessive I/I identified during the SSES.

Division B - Holmes Road Sewers

The work in this project includes the construction of storm and sanitary sewers in the area of Holmes Road between Tenny St. and Cedar St. The purpose of this work is to remove the excessive I/I in this System identified during the Lansing SSES.

Division C - Miscellaneous Sewer Repairs

The work in this project includes sewer rehabilitation work required within the separate systems to maintain the integrity of the system, but not necessary for I/I removal. Division C includes replacement of collapsed sewers, elimination of improperly connected house leads and removal of blockages in the sanitary interceptors.

3. Major Interceptor Rehabilitation

The work in this project includes the construction of storm and sanitary sewers in the Major Interceptor System (M System) to remove excessive I/I identified during the Lansing SSES.

4. Red Cedar Sewer Rehabilitation

The work consists of constructing approximately 6600 lineal feet of sanitary and storm sewers ranging in size from 8-inches to 42-inches in diameter, manholes, catch basins, manhole grouting and appurtenances in the Red Cedar Segment of the project.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$600.00 to Police Forfeitures Act 251	A/C 101-305-016-969
\$4,158.00 from Gen. Fund Est. Rev.	A/C 101-000-000-160
\$4,158.00 to Police Forfeitures Act 251	A/C 101-305-016-969
\$105,000.00 from Estimated Revenues	A/C 101-000-000-160
\$22,000.00 from Helicopter Unit-Rep. and Maint.	A/C 101-316-023-930
\$127,000.00 to Helicopter Unit - Equip.	A/C 101-316-023-977

Recommended by
Jan Lazar, Budget Director

I hereby certify that this is a properly drawn and eligible transfer.

James W. Dowsett
Finance Director

Approved:

Tony Benavides
Charles Creamer
Committee on Ways and Means

By COUNCILMEMBER BLAIR—

That the transfer of funds be separated and voted on separately.

Carried.

The following vote was taken on the transfer of funds for:

\$600.00 from Gen. Fund Est. Rev.	A/C 101-000-000-160
\$600.00 to Police Forfeitures Act 251	A/C 101-305-016-969
\$4,158.00 from Gen. Fund Est. Rev.	A/C 101-000-000-160
\$4,158.00 to Police Forfeitures Act 251	A/C 101-305-016-969

Adopted by the following vote:

Unanimously.

The following vote was taken in regard to the transfer of funds for:

\$105,000.00 from Estimated Revenues	A/C 101-000-000-160
\$22,000.00 from Helicopter Unit-Rep. and Maint.	A/C 101-316-023-930
\$127,000.00 to Helicopter Unit - Equip.	A/C 101-316-023-977

Lost by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides, Lindemann, Schmidt—5.

NAYS: Councilmembers Blair, Creamer—2.

Councilmember Adado moved for a 5-minute recess.

Carried.

The Council recessed at 9:45 p.m. and reconvened at 9:52 p.m.

By COUNCILMEMBER ADADO—

That we reconsider the vote on the transfer of funds in the amount of \$127,000.00 for the Helicopter Unit -Equipment.

Adopted by the following vote:

Unanimously.

More discussion was held in regard to this matter.

The following vote was taken on the following transfer of funds.

Adopted by the following vote:

YEAS: Councilmembers Adado, Belen, Benavides,

Creamer, Lindemann, Schmidt—6.

NAYS: Blair—1.

By COUNCILMEMBER ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan providing that the code of ordinances be amended by:

Providing that subsection (C) of Section 26-23 of Chapter 26 of the Code of Ordinances be amended to clarify that the retirement benefits provided pursuant to that subsection are available to City Council Staff Employees as well as Executive Plan Appointees of the Mayor and Internal Audit Staff.

Was introduced by Councilmember Adado, read a first and second time by its title, and referred to the Committee on General Services.

By COUNCILMEMBER ADADO—

That a public hearing be held on this ordinance on Tuesday, September 3, 1985.

Carried.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That Councilmember Worthington be excused from the session.

Carried.

REMARKS BY THE MAYOR

Street resurfacing report.

Willard Street dike update.

Interceptor drains update.

North Grand Ave. ramp construction update.

Announced streets being closed due to construction for the week.

REMARKS BY THE CITY COUNCIL

Councilmember Lindemann remarked about representation on the Public Properties and Safety Committee meetings.

Councilmember Adado remarked about:

Letter from Irene Gross on August 12 concerning pedestrian walkway on North St. at Bancroft Park not being cleared of debris.

Willard Street dike making mudhole of street for residents in that area.

Complaint of Armstrong Rd. resident that automobiles are ignoring school buses stopped with their flashers on.

Merl Lemon, 1803 Linval, spoke regarding budget items for the Exhibition Center and thanked City Councilmembers for their vote regarding the helicopter purchase.

Richard Fiser, 1909 E. Willard St. spoke in regard to

the condition of their entranceway to street from the work which was done on the Willard Street dike.

Willie Pearl, 427 S. Fairview, spoke regarding condition of City trash bags not being whole when purchased.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 10:40 P.M.

RITA BAUMAN,
City Clerk

August 26, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

Proceedings, September 3, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

September 3, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Lindemann.

Pledge of Allegiance.

By COUNCILMEMBER LINDEMANN—

That the Council Proceedings of July 29, and August 5, 1985 be approved and Carried.

PUBLIC HEARING

September 3, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City, being the time and place set as the time for holding a public hearing on the proposed Ordinance providing that Subsection (c) of Section 26-23 of Chapter 26 of the Code of Ordinances be amended to clarify that retirement benefits provided pursuant to that subsection are available to City Council Staff Employees as well as Executive Plan Appointees of the Mayor and Internal Audit Staff.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed ordinance amendment they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee of the Whole.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Fred McLaughlin, 727 No. Capitol Avenue, spoke regarding tabled claim letter.

Nicholas Limber spoke regarding resolution 2a—property at 2000 W. Saginaw.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for Licenses:

Auctioneer—Richard Brodie
Automobile Wreckers—Mitchell's Shell; Triple C Towing

Referred to Committee on General Services.

Claims filed by:

a. Steven J. Hoeksema, 500 Bartlett St., for parked automobile damaged by a city refuse truck.

b. Dorothy Dowling, 3420 Gingersnap, for reimbursement of removal of spray substance on automobile due to Waverly Road construction.

Referred to the Mayor and City Attorney.

Michael T. Kehoe, Principal of Resurrection School, submits letter thanking City Council for support of a crossing guard and requesting "no turn on red" signs at the intersection of Jerome and Marshall.

Referred to the Mayor and Traffic Board.

Michigan Liquor Control Commission submits request from LanSing, Inc., for transfer ownership of a 1985 Class C licensed business with Dance Permit, Entertainment Permit and Direct Connection (2) from G. S. Gavas, Inc., located at 127 W. Washtenaw.

Referred to the Mayor and Committee on General Services.

Request for establishing Industrial Development District on the East Side of North Larch Street (legal description attached) by Inter State Foods, Inc.

Referred to the Mayor and Committee on Economic Development.

Petition filed to resurface and blacktop the 900 block of Edison Ave. from Pennsylvania to the railroad.

Referred to the Mayor and Public Service Board.

Letter and petitions submitted by Deborah Heydenreich, 4315 Wildwood for stop signs on Wildwood Street at corners of Samantha, Emily, Roberts and Cavanaugh.

Referred to the Mayor and Traffic Board.

Letter from Greg Yeo, 605 E. Greenlaw, protesting motorists excessive speed on Greenlawn Ave.

Referred to the Mayor.

Robert B. Thompson submits letter regarding condemnation of 1018 E. Kalamazoo St.

Referred to the Mayor.

Kirby Holmes, State Senator, submits letter in support of continuation of John Q's in the Old Plaza Center.

Received and placed on file.

Floyd Clack, State Representative, submits letter in support of retaining John Q's in the Olds Plaza Building.

Received and placed on file.

Michigan Department of Natural Resources submits permits for installation of new utility corridors within Potter Park Zoo.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Committee Reports 2a (Ethnic Festival Umbrella Concept for Vendors) and 2b (Eastside Transportation Study) also Mayor's letters 2b and 2c (Appointments of temporary directors of ECD Projects); 2d (Resignation of Alice Brayton from Waterfront Development Board) and 2h (Status of Civic Center/Washington Square Annex Disposition Study).

REPORTS OF COMMITTEES

The COMMITTEE OF GENERAL SERVICES

Approves the following Licenses and Bonds:

Auctioneers—Richard Brodie
Automobile Wrecker—Mitchell's Shell; Triple C Towing.

Signed:

Sidney P. Worthington
Alfreda Schmidt
Charles Creamer

Committee on General Services

By COUNCILMEMBER WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES & SAFETY

To whome was referred the Report from Administration on Ethnic Festival Umbrella Concept for Vendors.

Reports as follows: The Committee on Public Properties and Safety requested a report on this matter

which was to have been presented in August. No one from the Administration was present at the Committee's meeting of August 29th to report on this subject. The Committee hereby requests the Administration to direct staff to be present and prepared to discuss the ethnic festival policies on Thursday, September 12th, 1985.

Signed:

Pat Lindemann
James Blair
Louis Adado
Committee on Public Properties and Safety

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES & SAFETY

To whom was referred the Eastside Transportation Study.

Reports as follows: The Committee on Public Properties and Safety requests the Administration to present a report and recommendation to the Committee on the Eastside Transportation Study on Thursday, September 5th at 12:00 Noon.

Signed:

Pat Lindemann
James Blair
Louis Adado
Committee on Public Properties and Safety

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES & SAFETY

To whom was referred the roach problem in North Capitol Ramp Offices reports as follows:

The committee voted unanimously to encourage Mr. Clay of the City's Property Management Office to continue his pest extermination efforts in the North Capitol Ramp in conjunction with those of the tenants of this facility.

Signed:

Pat Lindemann
James Blair
Louis Adado
Committee on Public Properties & Safety

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT

To whom was referred the Re-zoning of Z-14-85, 2213-2223 W. Jolly reports as follows:

After reviewing the Planning Boards action and listening to concerns of the residents in the area the Committee on Physical Development moved to approved the rezoning with certain specifications.

Signed:

Lucile Belen
Charles Creamer
Tony Benavides
Committee on Physical Development

By COUNCILMEMBER BELEN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

September 3, 1985

President Charles Creamer and
Members of Lansing City Council

RE: Outside Legal Counsel

Dear President Creamer
and Member of City Council:

Controversy over recently enacted changes in pension benefits for executive pay plan and City Council staff employees has generated a number of important legal questions.

Because, as City Attorney, I am a beneficiary of some of those changes, it would be inappropriate for me or my office to advise you those matters.

In light of this office's inability to advise you and due to the importance of being properly advised on those matters, this office recommends that you approve the retention of the law firm of Dickinson, Wright, Moon, VanDusen & Freeman to assist you with those matters.

The firm has local offices and is willing to work directly with City Council to provide timely answers to the questions you have raised regarding this matter. Sufficient funds are currently appropriated in the Law Department professional services account to defray the cost of this service.

Your immediate consideration of this recommendation is requested.

Respectfully submitted,

Stephen R. Sawyer,
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and retain the law firm of Dickinson, Wright, Moon, VanDusen & Freeman as legal Counsel for answering questions regarding the recently enacted changes in pension benefits.

Carried.

August 28, 1985

Council President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and Councilmembers:

You will recall that I recently sent you a recommen-

dation to plant an additional 400 trees in Lansing neighborhoods.

I understand that my recommendation is being held in committee and may not be reported out for full Council consideration. (Note: The rumored statement that Parks and Recreation does not have the time/staff to plant the trees is incorrect.)

I believe it is very important to re-establish Lansing's "urban forest." As you know, the City neglected this for at least a decade. It has only been in the last couple of years that we have been able to initiate an aggressive re-planting program as part of our multi-faceted neighborhood re-vitalization.

I urge you to consider action, or at least full Council discussion of this recommendation.

Sincerely,

TERRY J. MCKANE
Mayor

Referred to the Committee of the Whole.

August 28, 1985

Council President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and City Councilmembers:

I herewith submit to you for your consideration and confirmation the appointment of Lee Mason and Dale Martin as Temporary Directors for the Lindsey Centre Partnership project.

Both of these gentlemen serve as Temporary Directors on other EDC projects.

I trust you will give careful consideration to the appointment of Lee Mason and Dale Martin to this important project.

Best personal regards.

Sincerely,

TERRY J. MCKANE,
Mayor

By COUNCILMEMBER BELEN—

That we concur in the recommendation of the Mayor and confirm the appointment of Lee Mason and Dale Martin as temporary directors for the Lindsey Centre Partnership project.

August 28, 1985

Council President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and City Councilmembers:

I herewith submit to you for your consideration and confirmation the appointment of Ronald Lott and Nicholas Colovos as Temporary Directors for the Snell Environmental Group project.

Both of these gentlemen serve as Temporary Directors on other EDC projects.

I trust you will give careful consideration to the appointment of Ronald Lott and Nicholas Colovos to this important project.

Best personal regards.

Sincerely,

TERRY J. MCKANE,
Mayor

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and confirm these appointments as temporary directors for the Snell Environmental Group project.

Carried.

August 29, 1985

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Alice J. Brayton

RE: Resignation from Waterfront Development Board

The attached correspondence is submitted for your information.

Terry J. McKane,
Mayor

Received and placed on file.

August 28, 1985

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Planning and Municipal Development

RE: Trash Removal Assessment—U-29
December 1985 Tax Roll \$1,435.00

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE,
Mayor.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and this trash removal assessment in the amount of \$1,435.00 be placed on the December 1985 Tax Roll U-29.

Carried.

August 28, 1985

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Finance Director

RE: Commercial Tax Abatement Policy

The attached correspondence is submitted for your information.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Economic Development.

August 28, 1985

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Budget Director

RE: Transfer of funds

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Ways and Means.

August 30, 1985

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development

RE: Status of Civic Center/Washington Square Annex Disposition Study

The attached correspondence is submitted for your information.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

RESOLUTIONS

By COMMITTEE OF THE WHOLE

RESOLUTION #0415

Resolved by the City Council of the City of Lansing:

Whereas, the United Auto Workers are celebrating their 50th Anniversary this Labor Day; and

Whereas, the UAW locals in Lansing have been an integral part of community life for many years; and

Whereas, the good men and women of the UAW team have participated enthusiastically on all levels in a tremendous variety of city events and activities; and

Whereas, the Union's continuing contribution to our annual Riverfest Celebration with both monetary and human resources has made this one of the very finest festivals in the State of Michigan; and

Whereas, the oldes Lansing UAW Local still in existence is #652 which was chartered in 1939, is currently, 12,000 members strong; and

Whereas, the quality of life for workers in Lansing's automobile plants is directly attributable to the years of arduous collective bargaining and hard work for improved working conditions and benefits on the part of the UAW negotiators;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially salutes the United Auto Workers fifty years of solidarity and effective struggle toward improved quality of life for the working men and women of Lansing; and

Be It Further Resolved, the Council hereby gives special thanks to the UAW for the vital part it has played in Lansing's history and the important part it is sure to play in our future.

"HAPPY BIRTHDAY UAW"

Councilmember Worthington requested that this

resolution include the other three Lansing Locals, namely 602, 1618 and 1753; and, also to include Local 602 is older than local 652 as indicated in the resolution.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES

RESOLUTION #0416

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department, determined that the building located at 2000 W. Saginaw, legally described as:

2000 West Saginaw
Lots 180 and 181
West Lawn Subdivision, City of Lansing
Ingham County, Michigan

was an unsafe of dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Board on May 30, 1985, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on August 19, 1985, to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building; and

Be It Further Resolved that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution; and

Be It Further Resolved that, should the owner fail to substantially comply with the Hearing Officer's order for demolition or otherwise make safe, the Director of the Department of Building Safety and Development is hereby directed to proceed with demolition of said building; and

Be It Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Finally Resolved that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as

provided by law for the collection of taxes in the City of Lansing.

By COUNCILMEMBER WORTHINGTON—

That this resolution be amended from 20 days to 30 days from this date to make safe or demolish this building.

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

RESOLUTION #0417

Resolved by the City Council of the City of Lansing:

Whereas, Continental Cablevision has suggested that Cable Channel 28, the local government access channel under control of the City Council, carry Cable Satellite Public Affairs Network (C-SPAN) programming during times when Channel 28 is inactive; and

Whereas, the proposal from Continental stipulates that control of program organization would remain with the City, and the company would pay the costs for control equipment and for reception of the C-SPAN satellite signal; and

Whereas, the addition of C-SPAN to Channel 28's program offerings would be of benefit to cable subscribers interested in government;

Now, Therefore, Be It Resolved, the Lansing City Council hereby accepts the offer of Continental Cablevision to add C-SPAN programming to Cable Channel 28 under the following conditions:

1. Continental shall pay all costs to install control equipment to allow the City to switch between C-SPAN and local programming.

2. Continental shall pay all costs for the C-SPAN satellite signal.

3. The City shall retain full operational control over Cable Channel 28, including determination of time allowed for C-SPAN and local programs.

By COUNCILMAN LINDEMANN—

That the resolution be amended as follows:

That a fourth paragraph be added under the conditions to read:

4. After a two month trial period for C-SPAN programming on Channel 28, the Council Committee of the Whole will review this arrangement and finally determine its continuation.

Adopted by the following vote:

YEAS: Councilmembers Belen, Creamer, Lindemann, Schmidt, Worthington—5.

NAYS: Councilmembers Adado, Benavides, Blair—3.

By COUNCILMAN BELEN—

That Councilman Lindemann's amendment be amended by making it a four month trial period instead of a two month.

Adopted by the following vote:

YEAS: Councilmembers Belen, Creamer, Lindemann, Schmidt, Worthington—5.

NAYS: Councilmembers Adado, Benavides, Blair—3.

The resolution as amended was adopted by the following vote:

YEAS: Councilmembers Belen, Creamer, Lindemann, Schmidt, Worthington—5.

NAYS: Councilmembers Adado, Benavides, Blair—3.

By COMMITTEE ON PHYSICAL DEVELOPMENT
RESOLUTION #0418

Resolved by the City Council of the City of Lansing:

SLU-7-85
3308 Maloney

Whereas Ms. Peggy Pickott has requested a Special Land Use permit for 3308 Maloney to allow an adult foster care facility for a maximum of nine (9) residents; the home is currently licensed for six (6) resident and 3308 Maloney is more particularly described as:

Lot 392, Pleasant Grove Subdivision #1, City of Lansing, Ingham County, Michigan

Whereas 3308 Maloney has been inspected by the Building Division and the fire Marshal; and

Whereas certain improvements are required by the Building Division and the Fire Marshal; and

Whereas the Planning Board has reviewed this request in accord with Section 36-15.1(6) of the Zoning Code and found that this change would not have any adverse impact upon the neighborhood and recommends approval subject to conditions;

Whereas the Physical Development Committee of the City Council, to whom the report of the Planning Board was referred, concurred therewith;

Now Therefore Be It Resolved that the Council of the City of Lansing hereby expresses its intent to approve Special Use Permit No. 7 of 1985 upon certification by the Planning Division, the Department of Building Safety and Development, and the Fire Prevention Bureau that all necessary Code compliance alterations and site improvements have been completed; and

Be It Further Resolved that this resolution of intent shall expire after a period of six (6) months, except that the petitioner may request an extension; and

Be It Finally Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action and the conditions thereof.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT
RESOLUTION #0419

Resolved by the City Council of the City of Lansing:

SLU-11-85

Whereas, David W. Maxwell, on behalf of the Eliezer Baptist Church, has requested approval of a Special Land Use to construct a new church on property located in the 3600 block of West Jolly Road (south side), and more particularly described as:

Lot 1, Maple Grove Farms #1 Subdivision, City of Lansing, Ingham County, Michigan, and

Whereas, the Planning Board at their meeting of July 16, 1985, recommended that the request for a Special Land Use be approved subject to conditions, and

Whereas, the Physical Development Committee of the City Council, to whom was referred the report of the Planning Board, concurs therewith,

Now Therefore Be It Resolved, that the City Council of the City of Lansing approves a Special Land Use for David W. Maxwell, representing the Eliezer Baptist Church, subject to the following conditions:

1) Appropriate approvals and permits are obtained from the Public Service Department.

2) A landscape screening and buffering plan is submitted and approved by the Lansing Planning Division.

3) A final site plan is submitted and approved which increased the distance to the west side line, makes the drive entrance perpendicular to the street and indicates parking and building footprint.

The City Council is satisfied that the subject property meets the minimum requirements for the development of a church.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT
RESOLUTION #0420

Resolved by the City Council of the City of Lansing:

P-3-83
Kahres Farm Subdivision #2
Extension of Tentative Preliminary Approval

Whereas in accord with Section 37-8(4) of the Lansing Subdivision Regulations, being Chapter 37 of the Lansing Code of Ordinances, the Walter Neller Company requested approval of a proposed plat known as Kahres Farm Subdivision #2; and

Whereas, on December 5, 1983 the City Council granted tentative preliminary approval of the plat subject to conditions; and

Whereas, on December 5, 1985 the resolution of approval expired; and

Whereas on August 19, 1985 the Walter Neller Company requested extension of the resolution of approval; and

Whereas upon review the Physical Development Committee of Council found no substantial changes in the plat or in the surrounding area which would warrant further review of the case and recommended that said extension of the tentative preliminary approval with conditions be granted;

Now, therefore, Be It Resolved that the tentative preliminary approval of the proposed plat known as Kahres Farm Subdivision #2 be extended for one (1) year subject to the conditions set forth by the City Council at the time of tentative preliminary approval; and

Be It Further Resolved that the City Clerk be directed to notify the applicant of this action.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT
RESOLUTION #0421

Resolved by the City Council of the City of Lansing:

P-1-85
Robins Meadow Subdivision

Whereas the petitioner, Roy C. Markey, has requested tentative preliminary approval of a proposed plat known as Robins Meadow Subdivision; and

Whereas on August 20, 1985 the Planning Board voted unanimously to deny approval of the tentative preliminary plan because the lots as drawn are not in conformance with Section 37-23(d) of the Subdivision Regulations and there are concerns as to how efficient development can occur on these narrow lots, given that the entire site is zoned "DM-1" Residential and within the 100 year floodplain; and

Whereas, the Physical Development Committee has reviewed the Planning Board recommendation and concurs therewith;

Now, Therefore, Be It Resolved that the City Council denies the tentative preliminary plat of Robins Meadow; and

Be It Further Resolved that the City Clerk be directed to inform the applicant of this action.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT
RESOLUTION #0422

Resolved by the City Council of the City of Lansing:

SLU-8-85
900 Holten Street

Whereas, the applicant, Geraldine Laws, wishes to operate a foster care facility for two (2) elderly adults on the premises known as 900 Holten Street; and

Whereas a Special Land Use Permit is required since there are three (3) other similar facilities within 1500 feet; and

Whereas the Planning Board held a public hearing on Tuesday, June 18, 1985 at which neighborhood opposition to an additional foster care facility operated by an absentee owner was expressed; and

Whereas, the Planning Board, on July 16, 1985, voted unanimously to recommend denial of the Special Land Use Permit at 900 Holten due to potential over concentration; and

Whereas, the Physical Development Committee of City Council has reviewed the recommendation and concurs therewith;

Now, Therefore, Be It Resolved that the Lansing City Council denies the application for a Special Land Use Permit at 900 Holten Street for a foster care facility for two (2) elderly adults; and

Be It Further Resolved that the City Clerk be directed to notify the applicant of this action.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE
RESOLUTION #0423

Resolved by the City Council of the City of Lansing:

LS-13-85
1510 Glenrose

Whereas pursuant to the City of Lansing Subdivision Regulations, being Chapter 37 of the Code of the City of Lansing, Michael L. Robison has requested that the property commonly known as 1510 Glenrose Avenue, more particularly described as:

The south ½ of Lot 10, Assessor's Plat No. 12 on the north ½ of Section 8, T4N, R2W, City of Lansing, Ingham County, Michigan

be divided into two parcels of land, more particularly described as:

Parcel A—Beginning at the southwest corner of said Lot 10, Assessor's Plat No. 12; thence north 66.5 feet on the west line of Lot 10, being also the east line of Glenrose Avenue; thence east 85.45 feet; thence south 66.50 feet to the south line of Lot 10; thence west 85.45 feet on the south line of Lot 10 to the point of beginning, on the north ½ of Section 8, T4N, R2W, City of Lansing, Ingham County, Michigan.

Parcel B—Beginning on the south line of Lot 10, Assessor's Plat No. 12 at a point 85.45 feet east of the southwest corner of Lot 10; thence north 66.5 feet; thence east 85.21 feet to the west line of Roselawn Avenue; thence south 66.50 feet on the west line of Roselawn Avenue to the south line of Lot 10; thence west 85.21 feet on the south line of Lot 10 to the point of beginning, on the north ½ of Section 8, T4N, R2W, City of Lansing, Ingham County, Michigan

and Whereas the Planning Board at their meeting of August 20, 1985 recommended that the lot division be approved; and

Whereas the Physical Development Committee of City Council, to whom was referred the report of the Planning Board, concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby approves of the above mentioned lot division; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action. The applicant, however, stipulates and understands that the lot split as granted by the City of Lansing does not necessarily mean that the applicant may proceed with the division of the property. The applicant further understands that there may be some private restrictions contained in his deed or plat restrictions which may or may not be recorded with the Register of Deeds, which may run with the land. The applicant further understand that the City does not have the power or authority over these restrictions.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT
RESOLUTION #0424

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, September 23, 1985 at 7:00 P.M. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving the Special Land Use permit SLU-14-85, 5725 Orchard Court for 8 bed adult foster care facility.

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinance(s) of the City of Lansing, Michigan providing that the code of ordinances be amended by:

Providing for the rezoning of property located in the City of Lansing, MI and for the revision of the district maps adopted by Section 36-6 of the Code for property located at:

Z-18-85, 3121 South Cedar Street to be rezoned from "J" Parking to "F" Commercial District.

Z-19-85, 6070—6200 S. Logan Street to be rezoned from "A-1" Residential District to "E-2" Local Shopping District.

Z-20-85, 1616-1628 S. Cedar Street to be rezoned from "C" Residential District to "F" Commercial District.

Z-21-85, 5300 S. Pennsylvania Ave. to be rezoned from "A" Residential to "F" Commercial District.

Z-23-85, 426 e. Northrup Street to be rezoned from "E-1" Apartment Shop district to "E-2" Local Shopping District

was introduced by Councilmember Belen read a first and second time by their title(s) and referred to the Committee on Physical Development.

By COUNCILMEMBER BELEN—

RESOLUTION #0425

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, September 23, 1985 at 7:00 p.m. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving the following rezoning petitions:

Z-18-85, 3121 South Cedar Street to be rezoned from "J" Parking to "F" Commercial District filed by Denver Harless.

Z-19-85, 6070-6200 S. Logan Street to be rezoned from "C" Residential District to "E-2" Local Shopping District filed by Mario Dionise.

Z-20-85, 1616-1628 S. Cedar Street to be rezoned from "C" Residential District to "F" Commercial District filed by Gary L. Potter.

Z-21-85, 5300 S. Pennsylvania Ave. to be rezoned from "A" Residential to "F" Commercial District filed by Chris and Betty Baryames.

Z-23-85, 426 e. Northrup Street to be rezoned from "E-1" Apartment Shop District to "E-2" Local Shopping District filed by Action Auto, Inc.

Adopted by the following vote:

Unanimously.

Councilmember Blair left the meeting.

ORDINANCES

By COUNCILMEMBER BELEN—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Mich. and for the revision of the district maps adopted by Section 36-6 of the code for property located at:

Z-14-85—2213 and 2223 W. Jolly Road to be rezoned from "A" Residential District to "C" Residential District.

and recommended that the ordinance be passed.

Carried.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-14-85—2213 and 2223 W. Jolly Road to be rezoned from "A" Residential District to "C" Residential District be placed on order of immediate passage.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-14-85—2213 and 2223 W. Jolly Road to be rezoned from "A" Residential District to "C" Residential District be now passed.

Adopted by the following vote:

YEAS: Councilmembers Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—6.

NAYS—Councilmember Adado—1.

ORDINANCE NO. 2166

An ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing Ordains:

Section 1: That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number—Z-124-85, 2213 and 2223 West Jolly Road

Parcel Numbers—3305-06-226-081, 3305-06-226-091, 3305-06-226-101, 3305-06-226-111, 3305-06-226-121

Legal Description: The north 125 feet of Lots 73 and 74, Maple Grove Farms #2, City of Lansing, Ingham County, Michigan.

From "A" Residential District to "C" Residential District. This rezoning is being approved with the understanding that the property will be divided into not more than three (3) lots. The west lot shall be not less than 75 feet, the center lot 85 feet and the corner lot 90 feet.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMEMBER BENAVIDES—

I move that we bring the tabled claim of Fredric Lee McLaughlin forward to vote upon.

Carried.

August 23, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Fredric Lee McLaughlin in the amount
of \$485.00

Dear President Creamer
and Members of City Council:

On July 19, 1985 a claim regarding removal of a trash assessment placed upon a vacant parcel of property on Everett Lane was referred to this office for review. The relevant facts are as follows:

On April 15, 1985 the Claimant, Fredric Lee McLaughlin purchased Lot No. 4, Beckwith Subdivision and recorded the deed with the Ingham County Register of Deeds. On May 30, 1985 an inspection from the city Building Safety Division cited the taxpayer of record identified in the records of the City Assessor's Office for the Lot No. 4, Beckwith Subdivision for excessive growth of grass and weeds and pick up of trash and debris. Since the City Assessor's records identified the tax payer of record on the vacant lot on May 30, 1985 as Michael J. Wichowski, the violation notice was mailed to Mr. Wichowski. On June 11, 1985, the City Inspector reinspected the subject property and upon determining the property to still be in violation referred the matter to City contractor to clear up. On June 17, 1985 the City Contractor removed the various debris including brush for a total cost of \$485.00.

On June 23, 1985 the claimant drove by the subject property and observed that the brush had been removed. The Claimant proceeded to contact the City Inspector and was informed of the action which was taken in regard to the subject property.

Pursuant to §9A-11(D) of the Lansing Building code a written notice of violation regarding the accumulation of debris and brush was sent to the person identified in the last tax assessment roll of the City as the owner of record. That action was in accord with MCLA 211.44 which provides that the tax statement shall be mailed to each taxpayer at the taxpayer's last known address on the tax roll. Additionally, Section 9A-11 of the Building Code provides in part that the failure to receive such notice does not affect the validity of the proceedings taken. Examination of the City Assessor's records reveals that the Claimant has now been identified as the owner of record on the City tax assessment rolls. Although notice of the violation was mailed to Mr. Wichowski, there is no record of the notice having been returned to the City as undeliverable or having been forwarded to the Claimant by Mr. Wichowski.

Applying the aforementioned statutory and local law to the above presented facts, it is clear that the City acted properly and is not legally required to waive the payment of the assessment. Therefore it is the recommendation of this office that this special assessment for debris and brush pickup in the amount of \$485.00 should remain on the tax roll.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMEMBER BENAVIDES—

That we do not concur in the recommendation of the City Attorney and reduce the amount to \$300.00 for Mr McLaughlin to pay for special assessment.

By COUNCILMEMBER SCHMIDT—

That we amend Councilmember Benavides amendment and the City share be \$364.00 and Mr. McLaughlin's share be \$121.00.

Lost by the following vote:

YEAS: Councilmember Schmidt—1.

NAYS—Councilmembers Adado, Belen, Benavides, Creamer, Lindemann, Worthington—6.

Councilmember Benavides motion was adopted with his amendment as follows:

YEAS: Councilmembers Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—6.

NAYS: Councilmember Adado—1.

By COUNCILMEMBERS LINDEMANN AND
SCHMIDT—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter requesting a block party on tulane Drive by Don R. Curl, 2614 Tulane Drive.

Referred to the Mayor.

September 3, 1985

President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and City Councilmembers:

Information regarding the long-term impacts of executive pay plan and Council staff pension improvements as well as citizen reaction have led me to reconsider my position with regard to those benefits.

In light of the potential that the plan may set precedent for other groups, provide disproportionate benefits to one group and set the tone for adverse impact on our now stable pension plan, I am recommending that you act immediately to repeal Subsection 26-23(c) of the retirement ordinance and restore normal retirement benefits to the affected employees.

Additionally, in light of the fact that the repeal of that ordinance will eliminate any special benefits that may have existed for executive pay plan and council employees who enter into employment contracts, I also recommend that you rescind your recent amendment to the executive pay plan personnel rules requiring such employment contracts by January 1, 1986. Instead, I would suggest that such contracts should be required only for new appointees to the executive pay plan.

Enclosed please find an ordinance amending the retirement plan and a resolution which, if adopted by you, will effect these recommendation: s.

Your expeditious consideration and adoption of these measures are hereby requested.

Sincerely,

TERRY J. McKANE,
Mayor.

Referred to the Committee of the Whole.

REMARKS BY THE MAYOR

Construction report of City projects.

Riverfest activities—Co-sponsor given a big thank-you.

Announcement of the Senior Citizen Fundraiser by Tri-County Office on Aging this Friday evening at the Civic Center.

REMARKS BY THE CITY COUNCIL

Councilmember Creamer asked about the resolution regarding a road through Ranney Park to Frandor.

Announced that Rita Bauman, City Clerk, was

celebrating her 28th Anniversary with the City of Lansing and that Gladys Gilson was celebrating her birthday today.

Councilmember Schmidt remarked about the Tri-County Program of "Meals on Wheels".

Councilmember Benavides remarked about hazardous wastes to be collected at 5303 S. Cedar St.

George Vasalinko requested observation of a moment of silent prayer for slain Police Officer John L. Hutchins and request was granted.

Fred McLaughlin spoke again regarding claim on agenda and thanked City Council.

By COUNCILMEMBER CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:50 p.m.
Lansing, Michigan

RITA BAUMAN,
City Clerk

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

Proceedings, September 9, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

September 9, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer at 7:47 p.m. due to an Executive Meeting of the Whole held before the regular Council Meeting.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Benavides.

Pledge of Allegiance.

By COUNCILMEMBER BENAVIDES—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting special presentations.

Presentation by Letisha Tyler, Lansing's representative to Otsu City Goodwill Misison. Gift from Mayor Yamada.

Presentation by Mihoko Takeshita, exchange student from Otsu City residing this school year with the Douglas Switzer family in Lansing. Gift from Mayor Yamada.

A delegation from the Third Ward spoke regarding flooding problems on Richmond Street. Terry Jenkins, 4827 Richmond and resident of 4901 Richmond spoke.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Howard Jones, Citizens District Council #4 Chairperson, spoke regarding Communication #8.

Mary Haney, 1314 Roosevelt St., spoke in agreement with Mr. Jones on Communication #8.

Gladys Gilson, 223 W. Barnes Ave. spoke regarding Communication #8.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

Cabaret—Harley Hotels, Inc.; Connections (2900 N. East St.).

Referred to the Committee on General Services.

Summons filed in 54-A District Court by Elizabeth Jefferson vs City of Lansing Department of Public Service for injuries received in a fall on a city sidewalk.

Referred to the Mayor and City Attorney.

Claims filed by:

a. Ron Clevenger, 1601 Opaline, for paint damage to automobile while parked in North Capitol Ramp.

Beverly J. Knight, Midland, MI, for damages to automobile from gate-arm at the So. Capitol Parking Ramp.

c. Patricia A. Andrews, Dimondale, MI, for removal of special assessment on property at 424-426 Leshar Place.

Lorrie A. Dingman, Grand Ledge, MI, regarding claim filed in 1984 due to accident with a Lansing Police Officer.

Referred to the Mayor and City Attorney.

Petition filed for rezoning—Z-25-85, 4925 and 5005 Eastlawn to be rezoned from "A" Residential District to "F" Commercial District by James Thelen and David Thome.

Referred to the Mayor and Planning Board.

Letter of thanks from the River Forest Neighborhood Association for the recently constructed home at 2700 Westbury Rd.

Received and placed on file.

Michigan Liquor Control Commission submits request for Outdoor Service (to be located on the City sidewalk) from Kelly's In., 203 S. Washington Ave.

Referred to the Mayor and Committee on General Services.

Notice of prehearing conference on September 16, 1985 by Consumers Power Company regarding Cases U-8091, U-8239 and U-7844 (if necessary).

Received and placed on file.

Howard L. Jones, Chairperson, Citizens District Council #4 submits letter regarding Co-Gen Company's proposal for Diamond Reo site.

Referred to the Mayor.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Mayor McKane spoke regarding his letters 4c (Appointment of Maggie Frankland to Downtown Mall Advisory Board; 4d (Resignation of Ronald J. Barros from Demolition Hearing Board); 4e (Resignation of Clinton Canady II from Board of Water and Light); 4m (Utilization of parking Lot #2) and 4n (Civic Center 285 Review Phase I).

By COUNCILMEMBER BENAVIDES—

I move that Councilmember Lindemann be excused from the rest of the meeting as he had a matter of importance to attend to.

Carried.

REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES

Approves the following Licenses and Bonds:

Cabaret—Harley Hotels, Inc.; Connexions (2900 N. East St.).

Signed:

SIDNEY P. WORTHINGTON
ALFREDA SCHMIDT
CHARLES CREAMER
Committee on General Services

By COUNCILMEMBER WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The committee report approving the Ordinance amendment providing that Subsection (C) of Section 26-23 of Chapter 26 be amended to clarify retirement benefits was sent to the Committee of the Whole.

The COMMITTEE ON WAYS AND MEANS—

To whom was referred the Mayor's request for transfer of \$42,536.72 to the FY 85 Public Service Department Service Garage Fund Equipment Maintenance account from other FY 84 Service Garage Fund accounts to cover an account overrun reports as follows:

In keeping with past practice, the Committee requests a report from the Mayor explaining the cause of the higher-than-anticipated expenditures from this account, reasons why the account was overexpended before the transfer of funds was requested, and corrective actions taken or planned to prevent overexpenditures in the future. Because this situation involves a

fiscal year 1985 account, the committee voted to report out the transfer for Council action later in this meetings' agenda.

Signed:

JAMES BLAIR
TONY BENAVIDES
PAT LINDEMANN
Committee on Ways and Means

By COUNCILMEMBER BLAIR—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

To whom was referred the Matter of a Fee Schedule for New Fire Code reports as follows:

The committee hereby requests the Administration to provide a fee analysis for the new fire code so the cost of implementation can be off-set by the fees.

Signed:

JAMES BLAIR
LOUIS ADADO
PAT LINDEMANN
Committee on Public Properties and Safety

By COUNCILMEMBER BLAIR—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

DATE: 8-30-85

TO: City Council President Creamer and Councilmembers

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application—St. Jude's Children's Research

Attached is an application for a bicycle parade permit from the above-referenced organization, scheduled for 10:00 a.m. on Saturday, September 21, 1985, which has been approved by all the necessary departments.

Our personnel estimate this will cost the City a total of \$21.23, which represents one officer and one vehicle for one hour.

This is being sent to you for final action.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Police Chief and approve this parade permit.

Carried.

September 5, 1985

Lansing City Council President Charles Creamer and Members of the City Council

Dear Councilmembers:

On August 23, 1985 petitions were filed in the City Clerk's Office with 4,977 signers proposing a repeal of Section 26-23 sub-paragraph C of the General Employees Retirement System of the City of Lansing:

(C) If any member who has eight (8) or more years of credited service, and who either was a member of the executive pay plan of the City on February 15, 1985, or was a member of Council Staff or Internal Audit Staff as of February 15, 1985, separates from the employ of the City prior to obtaining the age requirements set forth in section 26-21 (A), that member shall be entitled to receive upon that members date of separation the regular age and service retirement allowance provided for in section 26 = 22.

The signature and addresses on said petitions have been checked for a total of 4,326 names. The requested number to quality was 5% of the 85,329 registered voters or 4,266 signatures.

The question will appear on the November 5, 1985 General City Election Ballot.

Respectfully submitted,

RITA M. BAUMAN,
City Clerk.

Received and placed on file.

September 9, 1985

Honorable Terry J. McKane
Mayor of Lansing

Dear Mayor McKane:

On behalf of the citizens of North Lansing, I am herewith requesting the Administration through its Department of Parks and Recreation to prepare a report to the Committee on Public Properties & Safety regarding the plans for repair and clean-up of the Grand River/Turner Street mini-park. The playground area of this park is in particular need of attention.

Sincerely,

PATRICK LINDEMANN
First Ward Councilmember

Referred to the Mayor.

September 9, 1985

Honorable Terry J. McKane
Mayor of Lansing

Dear Mayor McKane:

I have been asked by several of my constituents to follow-up on the progress on the reconstruction of the entrance to Bancraft Park at the end of North Street. As you are aware, the Public Properties & Safety Committee approved the corrective actions to be taken at this location back in June 1983. (Committee Report appears on p. 397 of the 1983 Council Proceedings.)

On behalf of the citizens in that neighborhood, I am asking the Administration to proceed forthwith with the completion of the corrective actions outlined in the abovementioned Committee Report.

Sincerely,

PATRICK LINDEMANN
First Ward Councilmember

Referred to the Mayor.

9/5/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director Planning and Municipal Development.

RE: Grass Cutting Assessment for L-27 December
1985 Tax Roll \$2,117.50

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. MCKANE,
Mayor.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the
Mayor and this Grass Cutting Assessment in the
amount of \$2,117.50 be placed on the L-27 December
1985 Tax Roll.

Carried.

9/5/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director of Planning and Municipal
Development.

RE: Grass Cutting Assessment for L-27 December
1985 Tax Roll \$2,315.00.

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. MCKANE,
Mayor.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the
Mayor and the Grass Cutting Assessment in the
amount of \$2,315.00 be placed on the L-27 December
1985 Tax Roll.

Carried.

September 5, 1985

Council President Creamer and
Lansing City Councilmembers

Dear President Creamer and City Councilmembers:

I herewith submit to you for your consideration and
confirmation the appointment of Maggie Frankland
to the Downtown Mall Advisory Board. The term will
expire February 1, 1987.

During her 15-year residency of Lansing, Ms.
Frankland has participated on many boards that serve
the Lansing area. As a business owner in the
downtown community, she is very interested in the
growth and development of our City.

I trust you will give careful consideration to the ap-
pointment of Maggie Frankland to this important
Board.

Best personal regards,

Sincerely,

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties
and Safety.

9/5/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Ronald J. Barros.

RE: Resignation—Demolition Board

The attached correspondence is submitted for your
information.

TERRY J. McKANE,
Mayor.

Received and placed on file.

9/4/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Clinton Canady, III.

RE: Resignation—Board of Water and Light.

The attached correspondence is submitted for your
information.

TERRY J. McKANE,
Mayor.

Received and placed on file.

9/4/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Lansing Traffic Board.

RE: Traffic Signal Request: Washington St. and
Northrup St.

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties
and Safety.

9/4/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Lansing Traffic Board

RE: Request for Stop Signs: Frederick St. at
Schultz St.

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties
and Safety.

9/4/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from RE: Raider Street: No Parking Request.

The attached correspondence is submitted with
my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties
and Safety.

9/4/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Lansing Traffic Board.

RE: Devonshire Avenue: No Parking Request.

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties
and Safety.

9/4/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Lansing Traffic Board.

RE: Proposed Development: Diamond Reo Site.

The attached correspondence is submitted for your
information.

TERRY J. McKANE,
Mayor.

Received and placed on file.

9/5/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from City Controller.

RE: Release of financial security for Green Ridge Subdivision

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and release \$1,580.00 in financial security for the Green Ridge Subdivision Plat.

Carried.

9/4/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Budget Director.

RE: Transfer of Funds.

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Ways and Means.

9/6/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Division

RE: Utilization of Parking Lot #2.

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor.

Received and placed on file.

9/6/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Devel. Dept.

RE: Washington Square Annex and Civic Center ACT 285 Review—Phase I

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

RESOLUTIONS

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION #0426

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District CRD-9-85, proposed by The Accident Fund of Michigan for 218-232 S. Capitol Avenue and more particularly described as:

A parcel of land located in the City of Lansing, Ingham County, State of Michigan:

That part of Block 117 of the Original Plat of the City of Lansing, according to the recorded plat thereof, described as: Beginning at the Southwest corner of block 117, then West 269.8 feet, thence North 82.5 feet; thence East 22.3 feet, thence N 49.5 feet, thence East 82.5 feet; thence North 66 feet, thence East 165.0; thence South 198.0 feet to the place of beginning.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District; and

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 30th day of September 1985, at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation in said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE— RESOLUTION #0427

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Industrial Development District IPR-4-78, at property commonly known as 1800 Bassett Avenue; and

Whereas, the Cameron Tool Corporation has applied for an Industrial Facilities Exemption Certificate for rehabilitation of the facility and replacement equipment to the facility; at 1800 Bassett Avenue; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on Cameron Tool's application for an Industrial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Industrial Development District IPR-4-78; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, September 30, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

U unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0428

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Industrial Plant Rehabilitation District IPR-5-85, proposed by Inter State Foods, Inc. for 130 to 210 North Larch Street and more particularly described as:

See Attached Exhibit A

Now, Therefore, Be It Resolved, that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District; and

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 30th day of September, 1985, at 7:00 p.m., and that notice of such hearing be published in a publication of general circulation in said City.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON ECONOMIC
DEVELOPMENT—

RESOLUTION #0429

LANSING CITY COUNCIL
RESOLUTION APPROVING PROJECT AREA,
ESTABLISHING PROJECT DISTRICT AREA
AND CONFORMING APPOINTMENT OF ADDI-
TIONAL DIRECTORS TO THE BOARD OF
DIRECTORS OF THE ISSUER
(Snell Environmental Group, Inc. Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan held at 7:47 o'clock p.m., Michigan Time, on November 7, 1983, at which the following members were present:

Councilman Adado, Belen, Benavides, Blair, Creamer, Schmidt, and Worthington, and the following were absent: Councilman Lindemann.

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Benavides:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, a project has been proposed (the "Project") to The Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions; and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and Project District Area

for its Project to this City Council for its approval thereof.

Now, Therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer, is hereby certified as approved:

See Exhibit "A"

2. The territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area having the same description as the Project Area herein certified as approved is hereby established.

3. Pursuant to Section 20(e) of the Act, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed.

4. This City Council hereby advises and consents to the appointment by the Mayor of the City of Lansing of Ronald Lott and Nicholas Colovos as additional directors to the Board of Directors of the Issuer, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.

5. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

Yeas—Councilman Adado, Belen, Benavides, Blair, Creamer, Schmidt and Worthington—8.

Nays—None.

Abstentions—None.

Resolution declared adopted.

STATE OF MICHIGAN)
COUNTY OF INGHAM) SS.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 26th day of August, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

RITA M. BAUMAN,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

EXHIBIT A—Project Area Description

Beginning at the intersection of the South line of May Street and the West line of Lot 15, Seymour's Subdivision of the SW 1/4 of Section 10, T4N, R2W, City of Lansing, Ingham County, and running thence on the South line of May Street, East 188 feet; thence South parallel with the West lot line, 270 feet; thence West 188 feet to the West lot line; then North on the West lot line, 270 feet to the point of beginning, City of Lansing, Ingham County, Michigan.

By COMMITTEE ON ECONOMIC
DEVELOPMENT—

RESOLUTION #0430

LANSING CITY COUNCIL
RESOLUTION APPROVING PROJECT AREA,

**ESTABLISHING PROJECT DISTRICT AREA
AND CONFIRMING APPOINTMENT OF
ADDITIONAL DIRECTORS TO THE BOARD OF
DIRECTORS OF THE ISSUER
(Lindsey Centre Patnership Project)**

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan held at 7:47 o'clock p.m., Michigan Time, on August 26, 1985, at which the following members were present:

Councilman Adado, Belen, Benavides, Blair, Creamer, Schmidt, and Worthington, and the following were absent: none

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Benavides:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, a project has been proposed (the "Project") to The Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions; and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and Project District Area for its Project to this City Council for its approval thereof.

Now, therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer, is hereby certified as approved:

See Exhibit "A"

2. The territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area having the same description as the Project Area herein certified as approved is hereby established.

3. Pursuant to Section 20(e) of the Act, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed.

4. This City Council hereby advises and consents to the appointment by the Mayor of the City of Lansing of Lee Mason and Dale Martin as additional directors to the Board of Directors of the Issuer, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.

5. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

Yeas—Councilman Adado, Belen, Benavides, Blair, Creamer, Schmidt and Worthington—8.

Nays—None.

Abstentions—None.

Resolution declared adopted.

STATE OF MICHIGAN)
COUNTY OF INGHAM) SS.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 26th day of August, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

RITA M. BAUMAN,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

**EXHIBIT A
Project Area Description**

Lot 1 and 2, Block 44, Original Plat of the City of Lansing, being a part of Section 9, T4N, R2W, City of Lansing, County of Ingham, State of Michigan.

**By PUBLIC PROPERTIES AND SAFETY
RESOLUTION #0431**

Resolved by the City Council of the City of Lansing:

Whereas, the Committee on Public Properties and Safety has carefully reviewed the site plan for the new Exhibition Hall parking lot including design consideration, access to the river and plan materials to be utilized, and

Whereas, the Committee members are satisfied with the plan, now

Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the plans for the Exhibition Hall parking lot and request an opportunity to review the final screening and buffering plan when it is prepared.

Adopted by the following vote:

Unanimously.

**By COMMITTEE ON PUBLIC PROPERTIES AND
SAFETY—
RESOLUTION #0432**

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing's Property Management Division has requested the transfer of jurisdiction of the City-owned parcel located at the Northeast corner of River Street and East Lenawee Street, and

Whereas, the property is described as

Lot 8 except the NW1/4 15 ft of Block 132 Original Plat, City of Lansing

Whereas, the Planning Board reviewed the request and unanimously concurred with the request; and

Whereas, the City Council Committee on Public Properties and Safety has concurred with the Planning Board findings; and

Now Therefore Be It Resolved, that the jurisdiction of the parcel described above be placed with the Parks and Recreation Department.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE

RESOLUTION #0433

Resolved by the City Council of the City of Lansing:

Whereas, an Adolescent Pregnancy Conference cosponsored by Ingham County, the City of Lansing and a variety of other groups and agencies, will be held at the Civic Center on September 12th and 13th, and

Whereas, City Council participation in this worthwhile conference is imperative,

Now, Therefore, Be It Resolved, that City Council of the City of Lansing hereby officially designates Council members Schmidt and Benavides as delegates to the Adolescent Pregnancy Conference on September 12th and 13th.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

RESOLUTION #0434

Resolved by the City Council of the City of Lansing:

That the following year-end transfers be approved:

\$1,674.60 from General Fund Est. Revenues
A/C 101-000-000-160

\$1,674.60 to Turner Dodge Development
A/C 101-936-416-974.1

\$1,500.00 from General Fund Est. Revenues
A/C 101-000-000-160

\$1,500.00 to Park Acquisition and Dev.
A/C 101-936-416-974

\$840.00 from General Fund Est. Revenues
A/C 101-000-000-160

\$840.00 to Parks and Rec. Mall Maint.-Professional Services Offset
A/C 101-718-101-801.01

\$293.67 from General Fund Reserve for Contingency
A/C 101-941-000-963

\$293.67 to District Court—Probation Salaries and Longevity
A/C 101-151-000-702

\$221.79 from General Fund Reserve for Contingency
A/C 101-941-000-963

\$221.79 to District Court—Probation
A/C 101-151-000-741

\$15,405.00 from Public Service Act 51-Major Est. Revenue
A/C 202-000-000-160

\$15,405.00 to Public Service—Act 51-Major
A/C 202-486-103-936

\$101.00 from Public Service Fund Balance 1969 Storm Sewer Bond Fund
A/C 401-000-000-390.3

\$101.00 to Public Service 1969 Storm Sewer Bond Fund/Storm Sewer Evaluation Study
A/C 401-787-010-974.696 (new acct.)

\$34.00 from Public Service Fund Balance 1969 Street Impr. Bond Fund
A/C 401-000-000-390.4

\$34.00 to Public Service 1969 Street Improvement Bond Fund 1984 Blacktop Contract
A/C 401-452-010-974.696

\$37,000.00 from Public Service Service Garage Fund Admin. and General Wages-Hourly
A/C 640-536-000-706

\$5,536.72 from Public Service Service Garage Fund Admin. & General Fringe Benefits
A/C 640-536-000-715

\$42,536.72 to Public Service Service Garage Fund Equip. Oper. & Maint.
Equip. Maint.
A/C 640-960-000-933

\$8,644.20 from District Court fund Salaries and Longevity
A/C 760-136-000-702

\$8,644.20 to District Court Witness and Jury Fees
A/C 760-136-000-829

Balance in the Reserve for Contingency Fund after these transfers is \$467,634.54.

I hereby certify that this is a properly drawn and eligible transfer.

JANET LAZAR
Budget Director

APPROVED:
JAMES BLAIR
TONY BENAVIDES
Ways and Means Committee

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

RESOLUTION #0435

Resolved by the City Council of the City of Lansing:

That the following FY 86 transfer be approved:

\$12,312.00 from General Fund Reserve for Contingency
A/C 101-941-000-963

\$12,312.00 to Administrative Services Data Processing Temporary Help
A/C 101-221-000-707

I hereby certify that this is a properly drawn and eligible transfer.

JANET LAZAR
Budget Director

APPROVED:
JAMES BLAIR
TONY BENAVIDES
PAT LINDEMANN
Ways and Means Committee

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

RESOLUTION #0436

Resolved by the City Council of the City of Lansing:

That \$5,280.00 in A/C 101-221-000-801 be reappropriated and carried forward.

I hereby certify that this is a properly drawn and eligible carry forward.

JANET LAZAR
Budget Director

APPROVED:
JAMES BLAIR
TONY BENAVIDES
PAT LINDEMANN
Ways and Means Committee

Adopted by the following vote:

Unanimously.

The passage of Ordinance providing that subsection (C) of Section 26-23 of Chapter 26 be amended to clarify that retirement benefits provided pursuant to that subsection are available to City Council Staff Employees as well as Executive Plan Appointees of the Mayor and Internal Audit Staff was returned to the Committee of the Whole.

By COUNCILMEMBERS BELEN, SCHMIDT,
LINDEMANN AND ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Friendship Manor Senior Citizen submits application to be recognized as a non profit organization in the community so they can apply for a Bingo License from the State Lottery Bureau.

Referred to the Committee on General Services.

9/9/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Report on Public Service Dept. Service
Garage Fund Overexpenditure

RE: Report on cause and recommended remedy for
above mentioned overexpenditure.

The attached correspondence is submitted for your information.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Ways and Means.

September 9, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

Traffic staff has completed a study regarding the opening of the 200-300 blocks of South Washington Mall. I presented their study to you. I also asked for recommendations regarding it from the Traffic Board, the Planning Board, and the Mall Advisory Board.

As you know, all three boards have recommended some sort of "opening" of the Mall (though not all were unanimous). However, there still is disagreement regarding the parts of the Mall that should be opened and the way in which it would be opened.

The question of whether or not to open a portion of the Mall to through traffic has generated much debate:

—Those who would "open" it say this would increase and improve auto traffic and thereby attract more downtown shoppers, and

—Those who would leave it "closed" say that currently it attracts pedestrians and provides excellent attended parking.

The issue also has become politicized. One candidate has referred to taking the "barricades" out of the street—as if attended parking booths were intended only to frustrate through drivers. We know also that some are saying—incorrectly—that emergency vehicles cannot operate in the Mall area.

Impact and Cost: Major positive downtown impacts are being and will be made by efforts that we together have supported—including the 100 Block Project, parking expansions, "Approach to the Capitol" project, cultural and education improvements, Riverfront Park upgrading, Capitol improvements, State Library—Museum plans, neighborhood revitalization and new housing, and numerous other projects. Many state and local leaders have played a role in this revitalization.

I suspect that opening the Mall will have small impact on the success of four downtown merchants or of our many other downtown users. Mall opening may increase auto traffic past some stores; however, it may also discourage short-term parking and easy pedestrian travel.

I also am concerned about the project's cost. I know—as you do—that any Mall opening funds must come at the expense of downtown users and/or other projects.

Recommendation: I also am mindful that we are representatives of the people of Lansing. And it is clear that a majority—though certainly not all—of those who have contacted the City on this issue have favored some sort of "opening." (To my knowledge, no scientific survey of downtown users has been made.)

With all of the above complexities in mind, I recommend that we take an interim compromise position regarding the mall opening. Though such action may not satisfy all persons, I believe it will move us toward our objectives of an improved downtown—at a reasonable cost.

I recommend that you establish policy to:

—open all three blocks to both through traffic and to free parking during the evenings and weekends—but keep them available to attended parking and convenient to pedestrians on weekdays; and

—maintain the current 90 degree angle parking—this will insure that all of our valuable spaces will be retained.

These measures are proposed as interim measures for two reasons: (1) there are several major downtown developments in progress and the effect of these must be evaluated and (2) we need to continue to work with business owners and other citizens to further agree upon downtown goals. This will allow us to open the Mall completely at a later date if that is desired.

In this regard, I also recommend—again—that you consider my previous recommendation to re-establish a Downtown Development Authority. This recommendation is an important one; an Authority could begin to answer the questions that are posed in our attached materials from our Planning Board.

As you know, this recommendation has been before Councilmembers Adado, Blair, and Lindemann for nearly a year now—without any action. Recently it was removed from the agenda of their committee without any public action or notification.

Conclusion: There has been much debate over this issue over the past several years. As you know, some of this debate has deteriorated to “political” and “personal” levels.

As mentioned, there is a great deal of positive accomplishment happening in the downtown right now. I ask that all concerned people stop the acrimonious debate over the Mall opening issue. Instead, let us work together to further build our downtown into what it can be: an attractive, inviting home for state and local government, for culture and education, for law and other professions, for retail stores and other businesses, for residents, and for visitors.

Sincerely,

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

By COUNCILMEMBER ADADO—

RESOLUTION #0437

Resolved by the City Council of the City of Lansing:

Whereas, acts of solicitation and prostitution are detrimental to the public health, safety and welfare in residential neighborhoods; and

Whereas, the Cherry Hill neighborhood area has been exposed to a high incidence of street prostitution and acts of solicitation between the hours of 8:00 p.m. and 6:00 a.m.; and

Whereas, the City Council has determined that closing streets to all but local traffic during the hours of 8:00 p.m. to 6:00 a.m. has the effect of deterring and decreasing incidents of street prostitution and solicitation of acts of prostitution; now, therefore

Be It Hereby Resolved that pursuant to Section 31-37.1 City Council hereby closes the following streets to all but local traffic and authorizes the establishment of appropriate barricades and signs to indicate that closure between the hours of 8:00 p.m. to 6:00 a.m. seven (7) days a week;

River Street between Kalamazoo Street and East St. Joseph Street

Hillsdale Street between South Grand Avenue and the Grand River.

By COUNCILMEMBER ADADO—

I move that we recess for 5 minutes to discuss this resolution.

Carried.

Council recessed at 8:35 p.m. and reconvened at 8:45 p.m.

By COUNCILMEMBER ADADO—

That we amend this resolution by adding the following:

“Lenawee St. between Cherry Street and River Street, Cherry St. between St. Joseph and Kalamazoo Street and the Main Street exit ramp to River Street.”

Carried.

By COUNCILMEMBER WORTHINGTON—

That we amend this resolution to close River Street Park to coincide with the hours of the barricades in place.

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

Letter received from Friendship Manor Senior Citizen of Lansing requesting non-profit status for their organization.

Referred to the Committee on General Services.

REMARKS BY THE MAYOR

Mayor spoke of street resurfacing and gave a construction report of various projects.

Announced streets to be closed this coming week in various parts of the city.

REMARKS BY THE CITY COUNCIL

Councilmember Schmidt spoke of street flooding and roads impassable due to work on the Willard Street Dike.

Councilmember Benavides questioned construction around Eastern High School and Pattengill Area.

Councilmember Belen remarked about so much junk collecting between the curb and sidewalk and the fact of the Ordinance allowing 10 days time limit.

Councilmember Creamer remarked about the Mayor's press release concerning the Retirement Ordinance.

Attorney Andrew Goldstein, spoke regarding the closed session of City Council on the General Employees Retirement Ordinance and asked the following questions:

Is it an initiative petition?

Does the amendment to the pension plan violate Article 9, Section 24, does it violate the contractual rights of the other 1,275 employees? Was that section of the constitution violated to begin with, which makes the initial council action illegal to begin with?

Must the approval of the Board of Trustees of the Employees Retirement System be received prior to investing, reinvesting, signing or transferring funds from the Employees Pension Plan.

Council action in amending the pension plan violated the contractual rights of 1,275 other employees contrary to Article 1, Section 10 of the Constitution.

Vivian Preston, 1516 W. Allegan St., spoke regarding the recently adopted General Employees Retirement ordinance and questioned the closed Executive Session held by City Council before this meeting.

Mary Haney spoke regarding the closed executive session held by City Council.

Margaret Herp, 906 Stanley St., questioned the City Attorney regarding the Retirement Ordinance.

Linda Ferris, 4113 Hillborn Lane, spoke regarding the need for a temporary crossing guard at the Stillwell Ave./Brighton St. intersection.

By COUNCILMEMBER ADADO—

I move that a temporary crossing guard be placed at the corner of Stillwell and Brighton Ave.

Carried.

Cleo Wright, 1214 Center St., spoke regarding the Grand River/Turner Mini Park.

By COUNCILMEMBER CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:30 p.m.

RITA M. BAUMAN,
City Clerk.

September 9, 1985

Lansing, Michigan

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

Proceedings, September 16, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

September 16, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Worthington—8.

Absent: Councilman Schmidt—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Belen.

Pledge of Allegiance.

Bob Hull presented the MUSIKKAPELLE ROTTENBUCH Group from West Germany. They exchanged gifts from Rottenbuch, Germany to City of Lansing. Announcement of a concert at the Liederkrantz Club of Lansing, 5828 S. Pennsylvania on Tuesday, Sept. 17th at 7:30 P.M. The following resolution was presented:

By COMMITTEE OF THE WHOLE—

RESOLUTION #0438

Resolved by the City Council of the City of Lansing:

Whereas, the Musikkapelle Rottenbuch of Rottenbuch, West Germany visited Lansing, Michigan, September 16-19, 1985; and

Whereas, the Musikkapelle Rottenbuch, under the direction of Borgomaster Karl Echter, has used the international language of music to foster international friendship and goodwill; and

Whereas, Rottenbuch, West Germany is the European home of Blue Lake Fine Arts Camp and the Musikkapelle Rottenbuch has always enthusiastically promoted international friendship and goodwill with Blue Lake Fine Arts Camp faculty, staff and campers; and

Whereas, the Musikkapelle Rottenbuch's return visit to Michigan further demonstrates the commitment to international understanding through the arts;

Now, Therefore, Be It Resolve, the City Council of the City of Lansing hereby extends a hearty welcome to Musikkapelle Rottenbuch and officially designates Tuesday, September 17, 1985, as:

**"MUSIKKAPELLE ROTTENBUCH DAY
IN LANSING"**

and Be It Further Resolved, a copy of this resolution shall be presented Musikkapelle Rottenbuch as evidence of the high regard in which they are held by the People of the City of Lansing.

Adopted by the following vote:

Unanimously.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Resolution 2A and 2B were pulled from the agenda.

Jim Oginsky, spoke regarding resolution 5A—stop signs at corner of Frederick and Schultz Sts.

Speakers regarding item #7 under Resolutions— Introduction of Ordinances for Chapter 26—General Employees' Retirement System Ordinance were:

Atty. Andrew Goldstein
Ruby White, 4707 W. St. Joseph Highway, Chairman of Trustees for Retirement Board.

Vivian Preston, 1515 W. Allegan St., Grants and Program Coordinator

Brenda Ballard, City Development Dept. employee
Donna Collins, 2837 Sunderland Rd., Employee of Controller's Office

The group presented copy of proposals for introducing new items into The Retirement System.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

Public Driver—Paul E. Cassel
Auctioneer—Albert C. Boulanger
Automobile Wrecker Service—Jack's Automotive Center.

Referred to the Committee on General Services.

Suit filed in Circuit Court by Lloyd Cain, on behalf of United Auto Workers Region I-C vs City of Lansing for reimbursement of cost in connecting storm sewers to the new sewer system.

Referred to the Mayor and City Attorney.

Petition filed for rezoning—Z-26-85—2801 N. Grand River Avenue to be rezoned from "D-1" Pro-

Professional Office District to "E-1" Apartment/Shop District by Betty R. and Diane H. Bennett.

Referred to the Mayor and Planning Board.

Application for Industrial Facilities Exemption Certificate filed by Nehi Beverages, Inc., 1510 N. Grand River.

Referred to the Mayor and Committee on Economic Development.

Letter and petitions filed by vendors of the Lansing City Market in support of Pat Miller as Market Manager.

Referred to the Mayor.

James M. Panetta, 1005 Hapeman St. submits a citizen's opinion about animal control program for dogs.

Referred to the Mayor.

Letter of invitation from Federal Polish Home, 1030 W. Mt. Hope, to attend Pulaski Days celebration Sept. 20 and 21st.

Received and placed on file.

Michigan Dept. of Natural Resources submits permit for construction of a concrete pond and underground penquin holding shelter in the floodplain of the Red Cedar River.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Committee Reports 2a & 2b (Internal Auditor's Compliance Reports for FY 84-85 contracts with Catholic Social Services and Housing Assistance Foundation); Mayor's letters 2a (ACT-15-85, Civic Center Disposition and ACT-16-85, Washington Square Annex Disposition, and 2c (Proposed Traffic Signal: Logan/Mary/Cavanaugh).

REPORT OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

Public Driver—Paul E. Cassel
Auctioneer—Albert C. Boulanger
Automobile Wrecker Service—Jack's Automotive Center.
Peddler—Betty Willis.

Signed:

SIDNEY WORTHINGTON
CHARLES CREAMER
Committee on General Services.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON HUMAN SERVICES AND INTERGOVERNMENTAL RELATIONS

To whom was referred the Internal Auditor's Compliance Report on the FY 84-85 contract with Catholic Social Services reports as follows:

The Internal Audit Report notes that the contract agency fell short on service delivery in the area of Lansing residents served. The \$10,000 contract required service to 56 Lansing senior citizens, but only 33 were served. The Committee is interested in seeing as many City residents served as possible using these City funds. The Committee intends to work with the Human Resources Director to increase the number of Lansing senior citizens being served by this agency.

Signed: **CHARLES CREAMER**
TONY BENAVIDES
Committee on Human Services and Inter-governmental Relations

By COUNCILMAN SCHMIDT—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON HUMAN SERVICES & INTERGOVERNMENTAL RELATIONS

To whom was referred the Internal Auditor's Compliance Report on the FY 84-85 contract with the Housing Assistance Foundation.

Reports as follows: The Committee has reviewed the 26-month results of the emergency housing fund maintained by the agency under this contract.

The Committee requests that this matter be discussed by the Council during consideration of the FY 86-87 budget, and that no additional funding be added for this purpose. The remaining balance of existing appropriations should be sufficient to continue the program at least through FY 86-87.

Signed:

CHARLES CREAMER
TONY BENAVIDES
Committee on Human Services & Inter-governmental Relations

By COUNCILMAN SCHMIDT—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

To whom was referred the Mayor's report on Devonshire Avenue Parking Changes reports as follows:

The Traffic Board and Mayor recommend the request for allowing parking on the west side of Devonshire Avenue be DENIED and NO PARKING AT ANY TIME on the west side of Devonshire be retained. Parking is currently allowed on the east side of the street. Sixty-eight homes on Devonshire Avenue were sent questionnaires and forty-five responded. The majority residents favored retaining No Parking on the west side of the street. THIS REQUEST IS DENIED.

Signed: **JAMES BLAIR**
LOUIS ADADO
Committee on Public Properties & Safety

By COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

City Controller submits annual reports for:

Employees' Retirement System annual report
December 21, 1984

Police and Fire Retirement System Annual Report
December 31, 1984.

Received and Placed on file.

9/13/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning and Municipal Development-Plan-
ning Board

RE: ACT-15-85 Civic Center Disposition
ACT-16-85 Washington Square Annex Disposition

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties
and Safety.

9/12/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning and Municipal Development
Department

RE: Re-establish a portion of Pennsylvania Court as
public right-of-way 3305 S. Pennsylvania.

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties
and Safety.

9/13/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Transportation Division

RE: Logan/Mary/Cavanaugh: Proposed Traffic
Signal

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Property and
Safety.

9/11/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Public Service Director.

RE: Contractor Request for Extended Working Hours

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the
Mayor and approve extended working hours for this
contractor except on the following streets—Townsend
St. between Washtenaw Ave. and Kalamazoo St. and
Kalamazoo St. between Townsend St. and Capitol
Ave.

Carried.

9/13/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Public Service Department

RE: Trash in R.O.W. Removal Assessments for
December, 1985 Tax Roll (V-11)

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the
Mayor and said assessment be placed on the December
1985 tax roll.

Carried.

9/11/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Finance Department

RE: Transfer of funds

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Ways and Means.

RESOLUTIONS

RESOLUTION #0439

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, Sister Mary Janice Belen has been the Chief Executive Officer of St. Lawrence Hospital for seventeen years of growth, development and first-class health care service to this City; and

Whereas, among her many notable achievements in the administrative role, to which she is so well suited, is the creation and maintenance of a tight cooperative relationships between St. Lawrence Hospital and Community Mental Health; and

Whereas, the resultant benefit to persons of all socio-economic levels who require consistent care and mental health support services in close proximity to their homes, is significant; and

Whereas, the Tel-Med unit and the 60+ Out-patient Clinic, established in conjunction with the Junior League, are only two of the highly successful services which came to fruition under Sister's able leadership; and

Whereas, quality health care coupled with an emphasis on spiritual wellness is the winning combination which has endeared Sister Mary Janice, and St. Lawrence to Lansing's citizenry over the years; and

Whereas, her sense of community demonstrated by her service on the Board of Water and Light, the Board of Directors at the Bank of Lansing and membership in the Zonta Club sets her apart,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby extends hearty congratulations and sincere appreciation to Sister Mary Janice Belen for the social activism and deep charity which have greatly enriched our lives and our community.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE

RESOLUTION #0440

Resolved by the City Council of the City of Lansing:

Whereas, the Michigan Early Childhood Center is celebrating its 10th Anniversary of service to this community; and

Whereas, this exceptional non-profit full-day care center for infants, toddlers, pre-schoolers and elementary aged children has been dedicated to excellence in child care since its inception in 1975; and

Whereas, classroom experiences are specifically designed to maximize the social, emotional, intellectual and physical development of each child enrolled in the program; and

Whereas, the Michigan Early Childhood Center enjoys a fine reputation among professionals in the field as well as parents of those children participating in the program; and

Whereas, the warm and highly professional atmosphere maintained by the staff reflect the caring and commitment to creating a positive educational environment at the center;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially congratulates Kathryn Cole, the administrative staff and the teachers at the Michigan Early Childhood Center on ten years or remarkable service to our most valuable resources, our children.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

RESOLUTION #0441

Resolved by the City Council of the City of Lansing:

Whereas, the Friendship Manor Senior Citizen Council has requested recognition as a non-profit community service organization in order to qualify for a State of Michigan charitable gaming license; and

Whereas, the Committee on General Services has reviewed this matter and recommended approval of the request;

Now, Therefore, Be It Resolved the Lansing City Council hereby recognizes the Friendship Manor Senior Citizen Council as a non-profit community service organization operating within Lansing, Michigan.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

RESOLUTION #0442

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor has recommended approval of a request from the Lansing Jaycees to sell beer and wine in Riverfront Park during the Annual Oktoberfest on October 11&12, 1985;

Now, Therefore, Be it Resolved the Lansing City Council hereby approves the application from the Lansing Jaycees to sell beer and wine in Riverfront Park during Oktoberfest on October 11 & 12, 1985.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

RESOLUTION #0443

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor has recommended approval of a request from the Mid-Michigan Musicians Association to sell beer and wine in Riverfront Park during a music festival/fund-raiser on September 21, 1985, with a rain date of Sept. 22;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves the application from the Mid-Michigan Musicians Association to sell beer and wine in Riverfront Park during a music festival/fund-raiser on September 21, 1985, with a rain date of September 22, 1985.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER WORTHINGTON—

That Councilmember Creamer be excused from voting on this resolution.

Carried.

By COMMITTEE ON WAYS AND MEANS—

RESOLUTION #0444

SALES RESOLUTION

Whereas, by ordinance adopted August 26, 1985, as amended (the "Ordinance"), the City of Lansing, Counties of Ingham and Eaton, Michigan (the "City") has authorized the issuance of its Sewage Disposal System Revenue and Revenue Refunding Bonds (the "1985 Bonds") dated as of September 1, 1985, to provide funds for the acquisition and construction of the Project (as defined in the Ordinance), to refund in advance part of the Outstanding Bonds (as described in the Ordinance) and for other expenditures related thereto; and

Whereas, the Ordinance provides for the sale of the 1985 Bonds in a principal amount, at a price and interest rates, bond maturities, redemption provisions and other details to be approved by the sale resolution to be adopted by the Council; and

Whereas, the Ordinance requires that there be established an Escrow Fund (as defined in the Ordinance) to be established with the Trustee (as defined in the Ordinance) pursuant to an Escrow Agreement (as defined in the Ordinance) into which will be deposited from proceeds of the 1985 Bonds and from other funds, if necessary, sufficient funds to pay or to provide for payment of the Outstanding Bonds to be refunded and it accordingly is necessary to approve the designation of the Trustee and to approve the form and execution and delivery of the Escrow Agreement; and

Whereas, the City has received an offer to purchase the 1985 Bonds from Van Kampen Merritt, Inc. of Naperville, Illinois (the "Underwriters") as set forth in detail in the bond purchase contract (the "Purchase Contract") submitted by them; and

Whereas, the offer conforms to the requirements and conditions established by the City in the Ordinance and otherwise, and the City deems it to be in the best interest of the City to accept the offer of the Underwriters and to enter into the Purchase Contract;

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, That:

1. All terms not defined herein which are defined in the Ordinance, when used herein, shall have the same meaning as defined in the Ordinance unless the context requires otherwise.

2. The Purchase Contract submitted to the City by the Underwriters and the offer of the Underwriters therein set forth to purchase the 1985 Bonds at an underwriting discount of \$738,360, together with accrued interest, is hereby approved and accepted, and the Mayor and City Clerk are hereby authorized and directed to execute and deliver the Purchase Contract for and on behalf of the City.

3. The Official Statement with reference to the 1985 Bonds, in the form and content as this day submitted to the City, is hereby approved and authorized to be executed by the Mayor and City Clerk for and on behalf of the City subject to such changes or variations therein as the Mayor and City Clerk may hereafter deem necessary. The form and content of Preliminary Official Statement for the 1985 Bonds dated September 5, 1985 and the distribution thereof by the Underwriters on behalf of the City are approved.

4. The form of the Escrow Agreement providing for payment of the Outstanding Bonds and the plan for payment thereof set forth therein is hereby approved and the Mayor and City Clerk are hereby authorized and directed to execute and delivery for and on behalf of the City the Escrow Agreement, subject to such additions, changes and variations therein as the Mayor and City Clerk may deem necessary.

5. First of America Bank-Detroit, N.A., Detroit, Michigan is hereby designated as Trustee under the Escrow Agreement.

6. Manufacturers National Bank of Detroit, Detroit, Michigan, designated by the Finance Director as Paying Agent, Registrar and Transfer Agent for the 1985 Bonds, is hereby approved.

7. All of the Outstanding Bonds, except for the Outstanding Bonds maturing in the year 2004 of the issue dated May 1, 1983 in the principal amount of \$900,000, shall be refunded.

8. The 1985 Bonds shall be issued in the aggregate principal amount of not to exceed Thirty Million Seven Hundred Sixty-five Thousand Dollars (\$30,765,000) of which Twenty-four Million Eight Hundred Fifty-five Thousand Dollars (\$24,855,000) shall be issued for the purpose of refunding part of the Outstanding Bonds. The 1985 Bonds shall mature on May 1st in the amount and in the years, in the aggregate, for the refunding and for the Project, and shall bear interest at the rates as follows:

MATURITY	AGGREGATE PRINCIPAL	REFUNDING PRINCIPAL AMOUNT	PROJECT PRINCIPAL AMOUNT	RATE OF INTEREST
1987	\$ 705,000	\$ 570,000	\$135,000	5.75 %
1988	750,000	605,000	145,000	6.25
1989	790,000	635,000	155,000	6.75
1990	845,000	860,000	165,000	7.25
1991	915,000	735,000	180,000	7.50
1992	990,000	795,000	195,000	7.75
1993	1,065,000	860,000	205,000	8.00
1994	1,155,000	935,000	220,000	8.20
1995	1,250,000	1,010,000	240,000	8.40
1996	1,360,000	1,095,000	265,000	8.50
1997	1,475,000	1,190,000	285,000	8.60
1998	1,595,000	1,290,000	305,000	8.70
1999	1,730,000	1,400,000	330,000	8.80
2000	1,885,000	1,525,000	360,000	3.90
2001	2,050,000	1,655,000	395,000	9.00
2006	12,205,000	9,875,000	2,330,000	9.25
	(term bonds)	(term bonds)	(term bonds)	

1985 Bonds maturing in the year 2006 shall be term 1985 Bonds and the Mandatory Redemption Requirements (as defined in Ordinance No. 29-A) for the term 1985 Bond in the aggregate, for the refunding, and for the project shall be as follows:

MANDATORY REDEMPTION RATE	AGGREGATE MANDATORY REDEMPTION REQUIREMENT	REFUNDING MANDATORY REDEMPTION REQUIREMENT	PROJECT MANDATORY REDEMPTION REQUIREMENT
May 1, 2002	\$2,230,000	\$1,805,000	\$425,000
May 1, 2003	2,430,000	1,965,000	465,000
May 1, 2004	1,530,000	1,240,000	290,000
May 1, 2005	2,880,000	2,330,000	550,000
May 1 2006	3,135,000 (Maturity)	2,535,000 (Maturity)	600,000 (Maturity)

The 1985 Bonds maturing on or after May 1, 1995, shall be subject to redemption prior to maturity at the option of the City, in such order as shall be determined by the Finance Director of the City, at par and accrued interest plus premiums as follows:

3% of the par value of each 1985 Bond redeemed prior to May 1, 1996,

2% of the par value of each 1985 Bond redeemed on or after May 1, 1996, but prior to May 1, 1997,

1% of the par value of each 1985 Bond redeemed on or after May 1, 1997, but prior to May 1, 1998;

No premium shall be paid on 1985 Bonds called for redemption on or after May 1, 1998.

None of the 1985 Bonds shall be issued as capital appreciation bonds.

9. The amount to be deposited to the Bond Reserve Account, pursuant to Section 8 of the Ordinance, with respect to the portion of the 1985 Bonds not issued for the purpose of refunding, shall be Five Hundred Sixty-five Thousand Five Hundred Two and 50/100 Dollars (\$565,502.50). Monies on deposit in the Redemption Fund shall be transferred into the Escrow Fund and shall be invested as provided in the Escrow Agreement except for monies therein necessary to pay the interest on November 1, 1985 on the Outstanding Bonds not to be refunded. Monies and investments transferred to the Trustee under the Escrow Agreement and monies to be deposited in the Bond Reserve Account shall be invested at a yield which the City, after consultation with Bond Counsel, shall determine necessary in order to assure that the Bonds are not "arbitrage bonds" within the meaning of Section 103(c) of the Internal Revenue Code of 1954, as amended, and the applicable regulations thereunder.

10. The Mayor, City Clerk, City Treasurer, Director of Finance, Controller and other officers of the City as necessary, are hereby severally authorized and directed to execute and deliver such certificates and other documents and to take such other actions as may be necessary or convenient to effect the proper sale, execution and delivery of the 1985 Bonds, subject to the City Charter and State law, the Purchase Contract, the Ordinance and this Sales Resolution.

11. All resolutions and parts of resolutions inconsistent with the provisions of this Resolution are hereby rescinded.

Adopted by the following vote:

Unanimously.

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of Lansing, Counties of Ingham and

Eaton, State of Michigan, at a Regular Meeting held on September 16, 1985, and that public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976 and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

I further certify that the following City Council members were present at said meeting Adado, Belen, Benavides, Blair, Creamer, Lindemann and Worthington—7.

And that the following City Councilmembers were absent—Councilman Schmidt—1.

I further certify that City Council member Blair moved adoption of said Resolution, and that said motion was supported by City Council member Worthington.

I further certify that the following City Councilmembers voted for adoption of said Resolution Adado, Belen, Benavides, Blair, Lindemann and Worthington—6.

And that the following City Council members voted against adoption of said Resolution—none.

rita M. BAUMAN,
City Clerk

By COUNCILMAN ADADO—

RESOLUTION #0445

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed amendment to the district boundaries of Lansing Industrial Development Districts, IPR-4-78 and IPR-1-81, at properties commonly known as 1800 and 1818 Bassett Avenue, to include property more particularly described as:

Part of Lots 31, 33 and 34, Assessor's Plat No. 11, and part of Lots 4 and 5, Shirann Subdivision, being part of the NW 1/4 of Section 8, T4N, R2W, City of Lansing, Ingham County, Michigan Described as: Beginning at the SW corner of said Lot 31; thence East 125 feet on the South line of Lot 31; thence North 370 feet; thence West 95.45 feet to the Easterly line of the Lansing Manufacturers Railroad; thence Southerly 272.21 feet along the railroad on a 1248.57 foot radius curve to the left whose center angle is 12°29'28" and whose chord bears S06°14'44"W 275.67 feet to a point of tangency; thence South 99.95 feet along the railroad to the point of beginning; containing 1.00 acre, more or less.

Also: Part of Lots 27, 28, and 29, Assessor's Plat No. 11, on the NW 1/4 of Section 8, T4N, R2W, City of Lansing, Ingham County, Michigan, described as:

beginning on the North lot line, 9.3 feet West of the NE corner of Lot 29, thence South parallel with the East lot line 14.66 feet; thence S89°49'15"W 80.99 feet; thence N0°10'15"15W 14.91 feet to the North lien of Lot 27; thence East 81.04 feet to the point of beginning.

The North 132 feet of the West 1/2 of Lot 30, and the North 132 feet of the East 9.32 feet of Lot 29; Assessor's Plat No. 11, City of Lansing, Ingham County, Michigan.

Lot 31, except the East 163 feet; Assessor's Plat No. 11, City of Lansing, Ingham County, Michigan.

Lot 32, except the East 164.5 feet; Assessor's Plat No. 11, City of Lansing, Ingham County, Michigan.

Lot 33, except the East 164.5 feet; Assessor's Plat No. 11, City of Lansing, Ingham County, Michigan.

Lot 34, except the East 164.5 feet; Assessor's Plat No. 11, City of Lansing, Ingham County, Michigan.

Lots 1 through 9, Outlots A and B, vacated Shirann Street, and to be vacated Owens Street adjoining Lots 6 through 9 and Outlots A and B; all in Shirann Subdivision, City of Lansing, Ingham County, Michigan.

Except Part of Lots 31, 33 and 34, Assessor's Plat No. 11, and part of Lots 4 and 5, Shirann Subdivision, being a part of the NW 1/4 of Section 8, T4N, R2W, City of Lansing, Ingham County, Michigan, described as: beginning at the SW corner of said Lot 31; thence EAs 125 feet on the South line of Lot 31; thence North 370 feet; thence West 95.45 feet to the Easterly line of the Lansing Manufacturer's Railroad; thence Southerly 272.21 feet along the railroad on a 1248.57 foot radius curve to the left whose central angle is 12°29'28" and whose chord bears S 6°14'44"W 271.67 to a point of tangency; thence South 99.95 feet along the railroad to the point of beginning; containing 1.00 acre, more or less.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District; and

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 30th day of September, 1985, at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation in said City.

Further, Be It Also Resolved that the public hearing for the Industrial Development District IPR-4-78 application for Exemption Certificate which was set for September 30, 1985, 7:00 p.m. be cancelled.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

RESOLUTION #0446

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all considered a request for traffic control at the intersection of Frederick Street and Schultz Street; and

Whereas, the Committee on Public Properties and Safety feels the request of the citizens is justified;

Now, Therefore, Be It Resolved, the City Council

of the City of Lansing hereby approves the installation of stop signs on Frederick Street at Schultz.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

RESOLUTION #0447

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division Staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a citizen request for changes in the parking regulations on Raider Street; and

Whereas, the Transportation Division staff recommended No Parking At Any Time on the west side of Raider Street from Hazel Street to 317 feet north of Hazel Street; and

Whereas, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended No Parking At Any Time on Raider Street from Hazel Street to the north end of Raider Street.

The following changes will be required in the City Traffic Code:

ADD: No Parking At Any Time on Raider Street from Hazel Street to the North end of Raider Street.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

\$356,000.00 from Res. for Legal Claims, Deduct. and Liabilities

A/C 101-941-000-912

\$323,000.00 to Police and Salaries Prior Year Settlements

A/C 101-930-305-702

\$33,000.00 to General Admin. Claims

A/C 101-930-000-963

(Settle compensatory/overtime complaint regarding police officers, estimate of liability for officers and funding of back pay for Officer Raymond Salazar in settlement of a wrongful dismissal complaint.)

JAN LAZAR,
Budget Director

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director

APPROVED:
JAMES BLAIR
TONY BENAVIDES
Ways and Means Committee

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$8,000.00 General Fund Reserve for Contingency
A/C 101-941-000-963
\$8,000.00 to Parks & Rec. Forestry Tree Replacement
A/C 101-781-000-756
(to purchase 400 additional trees)
\$1,950.00 from District Ct. Overtime-Salary
A/C 760-136-000-708
\$1,950.00 to District Court Wages-Temp.
(Temp. held needed during Court Legal Secretary's
Maternity Leave.)
A/C 760-136-000-707

Balance remaining in the Reserve for Contingency
Fund after this transfer is \$447,322.54.

Recommended by:
JAN LAZAR,
Budget Director

I hereby certify that this is a properly drawn and
eligible transfer.

JAMES W. DOWSETT,
Finance Director

APPROVED:
JAMES BLAIR
TONY BENAVIDES
Ways and Means Committee

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinance(s) of the City of Lansing,
Michigan providing that the code of ordinances be
amended by:

Repeal of Ordinance No. 702—Chapter 26—Sec-
tions 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14,
26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26,
26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1,
26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42,
and 26-44 of the General Employee's Retirement
System Ordinance.

To Amend Chapter 26, by adding Sections 26-1,
26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 26-19,
26-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1,
26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34,
26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42, and
26-44 for the purpose of updating the General
Employees' Retirement System Ordinance.

Was introduced by Councilman Worthington read a
first and second time by their title(s) and referred to
the Committee on General Services.

By COUNCILMAN WORTHINGTON—

RESOLUTION #0448

Resolved by the City Council of the City of Lansing:

That a public hearing be set for September 23, 1985
at 7:00 o'clock P.M. in the City Council Chambers,
10th Floor, City Hall, for the Ordinance providing for
the repeal of Ordinance No. 702—Chapter 26, Sec-
tions 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14,
26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26,
26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1,
26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42,
and 26-44 of Chapter 26 of the General Employees'
Retirement System Ordinance.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

RESOLUTION #0449

Resolved by the City Council of the City of Lansing

That a public hearing be set for September 23, 1985
at 7:00 o'clock p.m. in the City Council Chambers,
10th Floor, City Hall, for the Ordinance amending
Chapter 26 by adding sections 26-1, 26-5, 26-6, 26-7,
26-8, 26-9, 26-10, 26-14, 26-18, 26-19, 26-21, 26-22,
26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29,
26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36,
26-38, 26-39, 26-40, 26-41, 26-42, and 26-44 of The
General Employees' Retirement System Ordinance.

Adopted by the following vote:

Unanimously.

The following ordinance(s) of the City of Lansing,
Michigan providing that the code of Ordinances by
amended by:

Amend and supplement Ordinance No. 31-A
authorizing and providing for the issuance of refund-
ing Revenue Bonds to refund all or a part of the
outstanding Sewage Disposal System Revenue Bonds,
1983 series and Sewage Disposal System Revenue
Bonds, 1984 series and providing for the issuance of
additional revenue bonds of equal standing and priori-
ty of lien for the purpose of providing for im-
provements and extensions to the existing Sewage
Disposal System, under the provisions of Act 94,
Public Acts of Michigan, 1933, as amended, and Or-
dinance No. 29-A and 30-A of the City of Lansing;
providing for the issuance and sale of revenue bonds
and to pay certain costs relating to the revenue bonds;
providing for the retirement and security of the bonds
herein authorized and providing for other matters
relative to the bonds.

Was introduced by Councilman Blair read a first
and second time by its title(s) and referred to the Com-
mittee on Ways and Means.

By COUNCILMEMBER WORTHINGTON—

That Councilmember Creamer be excused from
voting on this Ordinance.

By COUNCILMEMBER BLAIR—

To amend this by excusing Councilmember
Creamer from voting on all motions concerning this
Ordinance.

Carried.

By COUNCILMAN BLAIR—

The Committee reported that it had considered an
ordinance providing, that the Code of Ordinances, Ci-
ty of Lansing, Michigan be amended by:

Ordinance to amend and supplement Ordinance
No. 31-A authorizing and providing for the issuance
of refunding revenue bonds to refund all or a part of
the outstanding sewage disposal system revenue
bonds, 1983 series and sewage disposal system revenue
bonds, 1984 series and providing for the issuance of
additional revenue bonds of equal standing and priori-
ty of lien for the purpose of providing for im-
provements and extensions to the existing sewage
disposal system, under the provisions of Act 94,

Public Acts of Michigan, 1933, as amended, and Ordinance No. 29-A and 30-A of the City of Lansing; providing for the issuance and sale of revenue bonds and to pay certain costs relating to the revenue bonds; providing for the retirement and security of the bonds herein authorized and providing for other matters relative to the bonds and recommended that the ordinance be passed.

By COUNCILMAN BLAIR—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended to amend and supplement Ordinance No. 31-A authorizing and providing for the issuance of refunding Revenue Bonds to refund all or a part of the outstanding Sewage Disposal System Revenue Bonds, 1983 series and Sewage Disposal System Revenue Bonds, 1984 series and providing for the issuance of additional revenue bonds of equal standing and priority of lien for the purpose of providing for improvements and extensions to the existing Sewage Disposal System, under the provisions of Act 94, Public Acts of Michigan, 1933, as amended, and Ordinance No. 29-A and 30-A of the City of Lansing; providing for the issuance and sale of revenue bonds and to pay certain costs relating to the revenue bonds; providing for the retirement and security of the bonds herein authorized and providing for other matters relative to the bonds.

Be placed on order of immediate passage.

By COUNCILMAN BLAIR—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the code of Ordinances, City of Lansing, Michigan be amended to amend and supplement Ordinance No. 31-A authorizing and providing for the issuance of refunding Revenue bonds to refund all or a part of the outstanding Sewage Disposal System Revenue Bonds, 1983 series and Sewage Disposal System Revenue Bonds, 1984 series and providing for the issuance of additional revenue bonds of equal standing and priority of lien for the purpose of providing for improvements and extensions to the existing Sewage Disposal System, under the provisions of Act 94, Public Acts of Michigan, 1933, as amended, and Ordinance No. 29-A and 30-A of the City of Lansing; providing for the issuance and sale of revenue bonds and to pay certain costs relating to the revenue bonds; providing for the retirement and security of the bonds herein authorized and providing for other matters relative to the bonds be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 32-A

An Ordinance to amend and supplement Ordinance No. 31-A authorizing and providing for the issuance of refunding revenue bonds to refund all or a part of the outstanding sewage disposal system revenue bonds, 1983 series and sewage disposal system revenue bonds, 1984 series and providing for the issuance of additional revenue bonds of equal standing and priority of lien for the purpose of providing for improvements and extensions to the existing sewage disposal system, under the provisions of Act 94, Public Acts of Michigan, 1933, as amended, and Ordinance No. 29-A and 30-A of the City of Lansing; providing for the issuance and sale of revenue bonds

and to pay certain costs relating to the revenue bonds; providing for the retirement and security of the bonds herein authorized and providing for other matters relative to the bonds.

Whereas, the City by Ordinance No. 31-A has heretofore authorized issuance and sale of \$30,765,000 Sewage Disposal System Revenue and Revenue Refunding Bonds (defined as the "1985 Bonds"); and

Whereas, it is now deemed necessary by the City Council of the City of Lansing to set forth the Mandatory Redemption Requirements of the 1985 Term Bonds as required by Ordinance 29-A;

Now, Therefore, the City of Lansing ordains:

Section 1. Definitions. All terms not defined herein shall have the meaning set forth in Ordinance 29-A and 31-A except when otherwise indicated by the context.

Section 2. Mandatory Redemption Requirements. Section 5 of Ordinance 31-A is hereby amended by the Addition of a new fourth paragraph so that Section 5 reads in its entirety as follows:

Section 5. 1985 Bond Details, Registration and Execution. The 1985 Bonds shall be designated Sewage Disposal System Revenue and Revenue Refunding Bonds, 1985 Series and shall not be a general obligation of the City but shall be payable solely out of the Net Revenues. The 1985 Bonds shall be issued in fully-registered form in the denomination of \$5,000 or integral multiples thereof, not exceeding the amount of the 1985 Bonds maturing on the same date that the Bond matures and shall be numbered in consecutive order of authentication from 1 upwards. The 1985 Bonds shall be dated as of September 1, 1985 or such later date as this Council shall approve at the time of the sale, and shall mature on May 1st in the years 1987 to 2006, inclusive or such of those years as shall be determined in the Resolution authorizing sale of the 1985 Bonds.

The 1985 Bonds shall bear interest at a rate or rates to be determined on sale thereof, but in any event not exceeding eleven percent (11%) per annum payable on November 1, 1985, and semi-annually thereafter on May 1st and November 1st of each year, by check drawn on the transfer agent and mailed to the registered owner at the registered address, as shown on the registration books of the City maintained by the transfer agent. Interest shall be payable to the registered owner of record as of the fifteenth day of the month prior to the payment date for each interest payment. The date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the City to conform to market practice in the future. The principal of the Bonds shall be payable at a bank or trust company to be designated by the Director of Finance as a registrar and transfer agent and co-paying agent for the 1985 Bonds. The 1985 Bonds shall be sold at not less than 97.5% of their par value.

The 1985 Bonds may be subject to redemption prior to maturity at the times and prices finally determined by the City Council in the sales resolution authorizing sale of the 1985 Bonds

In addition, the \$12,205,000 1985 Bonds due May 1, 2006, shall be issued as term bonds ("1985 Term Bonds"). The 1985 Term Bonds will be subject to a Mandatory Redemption Requirement in part by lot prior to maturity, at a redemption price of 100% of the principal amount thereof plus interest accrued to the redemption date, on May 1, 2002, and May 1 thereafter prior to maturity in the following years and principal amounts:

Year	Redemption Requirements
2002	\$2,230,000
2003	\$2,430,000
2004	1,530,000
2005	2,880,000
2006 (maturity)	3,135,000

The 1985 Bonds shall be signed by the facsimile signature of the Mayor and countersigned by the facsimile signature of the City Clerk. The 1985 Bonds shall have the facsimile corporate seal of the City printed thereon. No 1985 Bond shall be valid until authenticated by an authorized officer of the transfer agent. The 1985 Bonds shall be delivered to the transfer agent for authentication and be delivered by him to the purchaser in accordance with instructions from the Director of Finance upon payment of the purchase price for the 1985 Bonds in accordance with the bid therefor when accepted. Executed blank 1985 Bonds for registration and issuance to transferees shall simultaneously, and from time to time thereafter as necessary, be delivered to the transfer agent for safekeeping.

Any 1985 Bond may be transferred upon the books of the City maintained by the transfer agent by the person in whose name it is registered, in person or by his duly authorized attorney, upon surrender of the bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the transfer agent. Whenever any 1985 Bond or Bonds shall be surrendered for transfer, the transfer agent shall authenticate and deliver a new 1985 Bond or 1985 Bonds, for like aggregate principal amount. The transfer agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer. The City shall not be required (i) to issue, register the transfer of or exchange any 1985 Bond during a period beginning at the opening of business 15 days before the day of the giving of a notice of redemption of 1985 Bonds selected for redemption under this Ordinance and ending at the close of business on the day of that publication, or (ii) to register the transfer of or exchange any 1985 Bond so selected for redemption in whole or in part, except the unredeemed portion of 1985 Bonds being redeemed in part. The City shall give the transfer agent notice of call for redemption at least 20 days prior to the date notice of redemption is to be given.

Section 3, Repeal, Savings Clause. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are repealed.

Section 4. Severability; Paragraph Headings; and Conflict. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance. The paragraph heading in this Ordinance are furnished for convenience of reference only and shall not be considered to be a part of this Ordinance.

Section 5. Publication and Recordation. This Ordinance shall be published in full in The State Journal, a newspaper of general circulation in the City of Lansing qualified under State law to publish legal notice, promptly after its adoption, authenticated by the signatures of the President of the Council and the City Clerk.

Section 6. Effective Date. This Ordinance shall be effective upon its adoption.

Passed and adopted by the City of Lansing, Counties of Ingham and Eaton, State of Michigan on September 16, 1985

CHARLES M. CREAMER,
President of the City Council

RITA M. BAUMAN,
City Clerk.

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the City Council of the City of Lansing, Counties of Ingham and Eaton, State of Michigan, at a Regular Meeting held on September 16, 1985, and that public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976.

I further certify that the following City Council members were present at said meeting: Adado, Belen, Benavides, Blair, Creamer, Lindemann and Worthington and that the following City Council members were absent—Schmidt.

I further certify that City Council member Blair moved adoption of said Ordinance, and that said motion was supported by Council member Worthington.

I further certify that the following City Council members voted for adoption of said Ordinance Adado, Belen, Benavides, Blair, Lindemann and Worthington and that the following City Council members voted against adoption of said Ordinance—none.

I further certify that said Ordinance has been authenticated by the signatures of the President of the City Council and the City Clerk.

RITA M. BAUMAN,
City Clerk.

By COUNCILMAN BLAIR—

Resolved by the City Council of the City of Lansing:

This ordinance being necessary for the immediate preservation for the public peace, health or safety shall take effect upon its passage.

Carried.

By COUNCILMEMBER BENAVIDES AND
WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter from Motor Wheel Corporation requesting relocation of traffic signals from Lake Lansing Rd. at Motor Wheel Gate to intersection of N. East Street and Lake Lansing Road.

Referred to the Committee on Public Properties and Safety.

Letter from Ruby V. White, Chairman of Board of Trustees Employees' Retirement System, recommending repeal of Section 26-23(c) of the Retirement Ordinance.

Referred to the Committee on General Services.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That a uniformed Crossing Guard be placed at the location of Stillwell and Brighton Streets starting Tuesday, September 17, 1985 in the afternoon until a full time crossing guard is place there.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER BENAVIDES—

Resolved by the City Council of the City of Lansing:

Whereas, Hispanic people have long played a distinguished role in the history of the City of Lansing; and

Whereas, this City Council is committed to a policy of equal opportunity for our Hispanic citizens to work for and participate in City government at all levels; and

Whereas, it is appropriate for all Lansing residents to reflect on the many accomplishments and contributions made by Hispanics in the Arts, sciences, agriculture, technology, law, education and government, among other areas of endeavor;

Now, Therefore, Be It Resolved, the Lansing City Council hereby declares September 15 through 21, 1985, as Hispanic Heritage Week in Lansing.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BENAVIDES—

Resolved by the City Council of the City of Lansing:

That Councilman Schmidt be excused from the session.

Carried.

REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

Announced street closing due to construction projects.

Streets to be resurfaced.

Sewer Interceptor construction update.

REMARKS BY THE CITY COUNCIL

Councilmember Benavides remarked on need for crossing guard at Stillwell and Brighton.

Councilmember Adado asked about mound of dirt left at Kentfield St. from construction on Waverly Rd. He also thanked citizens for bringing to council's attention of the inequity of Retirement System Ordinance recently passed.

Councilmember Blair remarked about the quality of TV Service for Channel 28 being improved with new cameras, new sound service, switches, etc. He thanked Continental Cablevision for new equipment, volunteers, Cablevision Advisory Board and Staff of Council for improved quality of broadcast.

Charles Potter, 1704 Quentin Street, spoke regarding neighborhood problem of grass cutting.

Atty, Andrew Goldstein questioned City Council regarding how and why the Employees' Retirement System Ordinance was improperly enacted.

By COUNCILMEMBER CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:05 P.M.

RITA M. BAUMAN,
City Clerk.

Lansing, Michigan
September 16, 1985

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

Proceedings, September 23, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

September 23, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: Councilmember Belen—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Schmidt.

Pledge of Allegiance was given by Cub Scout Pack #236 of Holy Cross School.

Hearing on Proposed Change In Zoning Classification

September 23, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983 said proposed amendment being as follows:

That the property described as:

Z-18-85—3121 South Cedar Street to be rezoned from "J" parking and "F" Commercial Districts to "F" Commercial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment(s).

Referred to the Committee on Physical Development.

September 23, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983 said proposed amendment being as follows:

That the property described as:

Z-19-85—6070-6200 South Logan Street to be rezoned from "A" Residential District to "E-2" Local Shopping District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment(s).

Referred to the Committee on Physical Development.

September 23, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983 said proposed amendment being as follows:

That the property described as:

Z-20-85—1626-1627 South Cedar Street to be rezoned from "C" Residential District to "F" Commercial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment(s).

Referred to the Committee on Physical Development.

September 23, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983 said proposed amendment being as follows:

That the property described as:

Z-21-85—5300-5316 South Pennsylvania Avenue to be rezoned from "A" Residential District to "F" Commercial District.

The Council President announced that if there was

anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

Chris Baryames, 1731 Nottingham Rd., spoke.

Referred to the Committee on Physical Development.

September 23, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983 said proposed amendment being as follows:

That the property described as:

Z-23-85—426 East Northrup to be rezoned from "E-1" Apartment Shop district to "E-2" Local Shopping District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

Jim Sabo, representing Action Auto, Inc., spoke.

Referred to the the Committee on Physical Development.

PUBLIC HEARING

September 23, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Special Land Use, SLU-14-85, 5725 Orchard Court to be used for an 8 bed adult foster care facility.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Special Land Use, they will have the privilege of speaking at this time.

No person spoke.

Referred to the Committee on Physical Development.

September 23, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Repeal of Ordinance No. 702—Chapter 26—Sections 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42, and 26-44 of the General Employees' Retirement System Ordinance for the reason of correcting legal deficiencies.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed repeal of Ordinance they will have the privilege of speaking at this time.

Speakers for the repeal were:

Brenda Ballard, 5958 Haverhill.

Atty. Andrew Goldstein, representing city employees.

Vivian Preston, 1516 W. Allegan St.
Donna Collins, 2837 Sunderland Rd.

Referred to the the Committee on General Services.

September 23, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposal to Amend Chapter 26, by adding Sections 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42, and 26-44 for the purpose of updating the General Employees' Retirement System Ordinance in order to provide for Gender Neutral Legislation and payment of Retirement Benefits to Beneficiaries of Employees who are Vested but Die Prior to Retirement Age.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Ordinance amendment they will have the privilege of speaking at this time.

Brenda Ballard, 5958 Haverhill Dr.

Referred to the Committee on General Services.

September 23, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed make-safe or demolish property located at 5312 S. Waverly Rd.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed make-safe or demolition of property they will have the privilege of speaking at this time.

Referred to the Committee on General Services.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Mayor's letter 3b was pulled.

Committee Reports 2a and 2b were pulled.

Resolution 5a, 5b, 6 and 7 were pulled from the agenda.

Betsy DeBar, 1117 North Walnut Street spoke on Communication #6—request for city ordinance regarding pit bulldogs.

Tony Kolp, representing Buick-Oldsmobile-Cadillac Division of Lansing spoke regarding Communication #7.

Max Grove, 1805 W. Shiawassee St., spoke regarding parking situation that exists on W. Shiawassee St. from Fisher Body employees. Matter was referred to the Committee on Public Properties and Safety.

By COUNCILMAN BLAIR—

That this council recess for ten minutes.

Carried.

City Council recessed at 8:50 p.m. and reconvened at 9 p.m.

By COUNCILMEMBER ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting 1985 Award Winners of the Lansing Shuffle Board Club Representatives.

Carried.

Mr. Van Kirk, representing the above organization, spoke and introduced the players with their trophies.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

Cabaret—Moriarty's Pub.
Sign Erector—A & A Sign Co.

Referred to the Committee on General Services.

Notice of Claim to be filed against the City of Lansing regarding injuries to Layla Ahmad at intersection of Willow/Waverly Rd.

Referred to the Mayor and City Attorney.

Claims filed by:

a. Cheryl Baker, Rochester, IN, for injuries sustained while walking at Potter Park.

b. Paul Madigan, East Lansing, MI for reimbursement of motorcycle tire ruined at intersection of Miller/Cedar Sts.

c. Eric G. Nutter, 3826 Ridgefield Road, for reimbursement of costs incurred in road cut for recent sewer replacement.

Referred to the Mayor and City Attorney.

Application for Commercial Facilities Exemption Certificate by Otis Elevator Co., 419 Cherry Street.

Referred to the Mayor and Committee on Economic Development.

Gerald and Janice Munk, 1436 Jerome St., submits request for two stop signs between Pennsylvania and Marshall St. to slow through traffic.

Referred to the Mayor and Traffic Board.

Betsy DeBar, 1117 N. Walnut St., requests city ordinance regarding pit bulldogs.

Referred to the Mayor.

Buick-Oldsmobile-Cadillac Division of Lansing submits invitation to Mayor and City Council for their Open House on October 1, 2, and 3, 1985.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Mayor's letter 3c (Certificate of Conformance in Financial Reporting)—presentation made to Steve Duart, Controller of City of Lansing.

REPORT OF COMMITTEE

The COMMITTEE ON GENERAL SERVICES—

Approves the following Licenses and Bonds:

Cabaret—Moriarty's Pub.
Sign Erector—A&A Sign, Inc.

Signed:

SIDNEY WORTHINGTON
CHARLES CREAMER
ALFREDA SCHMIDT
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

September 19, 1985

President Charles Creamer and
Members of the Lansing City Council

Dear Councilmembers:

In accordance with Section 7-107 of the Lansing City Charter, I am forwarding copies of the executive transfer that have been placed on file in the City Clerk's Office by the Budget Director.

RITA M. BAUMAN,
City Clerk.

Received and placed on file with copy to Committee on Ways and Means.

Charles Creamer
City Council President

Dear President Creamer,

During the past several months the Board of Zoning Appeals has been requested to approve height variances for several communications towers. These towers were all the type that emit non-ionizing radiation.

Concerns regarding the possible adverse impacts of towers of this size and of non-ionizing radiation on property values, health and future development were discussed in as much detail as possible. However, because structures of this type are not dealt with in the current Zoning Ordinance, we had little guidance regarding the appropriateness of these requests.

We are therefore requesting you to research this issue and to formulate policy so that in the future we may consider such requests in light of guidelines established for appropriate placement.

Your attention in this matter is appreciated. If you have any further questions please contact me.

TOM KANE,
Chairman
Board of Zoning Appeals

Referred to the Committee on Physical Development.

9/18/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Lansing Traffic Board

RE: Moffitt Street and Hughes Road: Traffic Control Request

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

9/18/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Lansing Traffic Board

RE: Request for Stop Signs: Luwanna Dr. and Champion Way/Solomon Drive
Request for Stop Signs: Solomon Dr. and Stoneleigh Drive

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

9/16/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Public Service Director

RE: Trash in R.O.W. Removal Assessments for December, 1985 Tax Roll (V-11)

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and the Trash in R.O.W. Removal Assessments be placed on the December, 1985 Tax Roll (V-11).

Carried.

9/20/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Planning & Municipal Development

RE: Trash Assessment for U-29 December 1985 Tax Roll \$2,546.00

The attached correspondence is submitted with my concurrence for your action.

CLEOPHUS BOYD,
Executive Assistant

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and the Trash Assessment in the amount of \$2,546.00 be placed on the U-29 December 1985 Tax Roll.

Carried.

9/19/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Public Service Director

RE: Revised Willard St. Construction Schedule.

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor.

Received and placed on file.

9/18/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Convention/Exhibition Facility—Progress Report

Attached are copies of the latest progress report on the Convention/Exhibition Facility for your information. The report includes:

1) Project Summary

- 2) Bid Package Schedule
- 3) The latest cost estimate and breakdown
- 4) Cash Flow Projections
- 5) Project Schedule

Also attached is a copy of the funding sources for the entire project.

This information will be discussed with the Ad Hoc Committee at their meeting on September 20, 1985 at 3:00 p.m.

Received and placed on file.

9/18/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Lansing Historic District Commission

RE: Special Meeting to discuss N. Lansing Historic District Thursday, September 26, 1985—7:00 p.m.

The attached correspondence is submitted for your information.

TERRY J. MCKANE,
Mayor.

Received and placed on file.

9/19/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from City Controller

Re: Outstanding Encumbrances at June 30, 1985

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Ways and Means.

9/20/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Public Service Director

RE: Approval to Work Extended Hours—Pedestrian Overpass Painting Contract

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE,
Mayor.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the

Mayor and approve extended work hour for the Pedestrian Overpass Painting Contract, except for the two located within the residential areas.

Carried.

9/18/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Budget Director.

RE: Transfer of Funds

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE,
Mayor.

By COUNCILMEMBER BLAIR—

That we concur in the recommendation of the Mayor and the attached Transfer of Funds be approved.

Carried.

REQUEST FOR APROPRIATION

Amount requested: \$4,000
to Account # Parks and Recreation, Park Division—Construction
#101-718-000-799
Original Budget \$11,250
Net Appropriation \$11,250
Reason for Request—Construction of walkway to Bancroft Park and gate at end of North Street.

Amount Requested \$4,000
From Account General Fund, Reserve for Contingency #101-941-000-963
Original Budget \$600,000
Transfer Out \$152,677.46
Net Appropriation \$477,322.54

Requested by Assistant Director, Parks and Recreation—9/19/85.

JANET LAZAR,
Budget Director
9/19/85

Amount Requested \$11,148
To account #101-337-000-702; Fire Department Salaried-Administration
Original Budget \$197,500
Net Appropriation—\$197,500

Reason for Request—Funding of civilian Administrative Assistant 29 through November 1985, Act 312 arbitration on this matter due to be resolved by that date. Also includes additional merit reserve for Assistant Fire Chief due to merit steps effective sooner than budgeted.

Amount Requested \$18,455
From Account #101-339-000-702—Salaries-Suppression

Original Budget—\$5,511,850

Net Appropriation—\$5,511,850

Brief status of work/activity scheduled to be done from this account—Fire Department—Suppression Salaries. Net recruits funded to begin July 1 did not begin training until Sept. 4.

Requested by:

Mark R. Holmday

JANET LAZAR,
Budget Director

Amount requested \$840

To account #101-337-000-712—Fire Department—
Administratoion-Longevity

Original Budget \$148,480

Net Appropriation \$148,480

Reason for Request—Longevity for civilian Administrative Assistant 29 not funded in budget.

Requested by:

Mark Holmday

Amount requested—\$5,660

To account #101-348-000-702—Fire Department—
Dispatch Division-Salaries

Original Budget—\$172,940

Net Appropriation—\$172,940

Reason for Request—Transfer of a full-pay firefighter from Suppression Div. into Dispatch Div. slot funded at first-year level.

Requested by:

Mark Holmday

Amount requested—\$807

To account #101-345-000-702—Fire Department—
Alarm Division-Salaries

Original Budget—\$91,205

Net Appropriation—\$91,205

Reason for Request—Needed to pay retroactive acting time to two persons due to court-ordered promotion in this division.

Requested by:

Mark Holmday

9/20/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Planning & Municipal Development

RE: Request for Public Hearing: 1017
West Kalamazoo

The attached correspondence is submitted with my concurrence for your action.

CLEOPHUS BOYD,
Executive Assistant

By COUNCILMEMBER WORTHINGTON—

That we concur in the recommendation of the Mayor and the public hearing for 1017 West

Kalamazoo to make-safe or demolish be set for October 14, 1985.

Carried.

9/20/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Planning & Municipal Development.

RE: Request for Public Hearing: 530 South Chestnut

The attached correspondence is submitted with my concurrence for your action.

CLEOPHUS BOYD,
Executive Assistant

By COUNCILMEMBER WORTHINGTON—

That we concur in the recommendation of the Mayor and the public hearing for make-safe or demolish for 530 South Chestnut be set for October 14, 1985.

Carried.

RESOLUTIONS

RESOLUTION #0452

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Industrial Development District IPR-1-85, at property commonly known as 1508 N. Grand River Avenue; and

Whereas, Nehi Beverages, Inc. has applied for an Industrial Facilities Exemption Certificate for rehabilitation of the facility and replacement equipment to the facility; at 1508 N. Grand River Avenue; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on Nehi Beverage's application for an Industrial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Industrial Development District IPR-1-85; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, October 14, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0453

Resolved by the City Council of the City of Lansing:

Whereas, Governor Blanchard is demonstrating on behalf of the State government a renewed commitment to the revitalization and improvement of downtown Lansing; and

Whereas, the enthusiasm being generated among downtown business persons as well as State and Local officials is significant; and

Whereas, construction of Lansing's new downtown hotel and exhibition center is well underway; and

Whereas, the Committee on Public Properties & Safety is currently reviewing a variety of optional uses for the current Civic Center; and

Whereas, the City is "holding off" on contracting for a comprehensive consultant's study to explore the potential future uses of this particular facility until such time as a definitive (yes or no) response regarding the State of Michigan's intent as to possible State purchase and use of this building in the immediate future;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially thanks Governor Blanchard for his interest in the downtown of our capital city and respectfully requests all due haste be made in determining what, if any interest the State of Michigan has in acquiring our Civic Center building.

Councilman Blair left the meeting.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0454

Resolved by the City Council of the City of Lansing:

Whereas, Mr. David Nussdorfer of 3305 S. Pennsylvania Avenue has requested the City to re-establish Pennsylvania Court as a public street; and

Whereas, the City Council of the City of Lansing vacated Pennsylvania Court from the north line of lot 6 south to the south line of Section 27 of Walter Neller Company's Professional and Business Mart on April 19, 1985; and

Whereas, as the Planning Board has reviewed the request to re-establish a portion of Pennsylvania Court as a public street and recommended its approval according to the following description:

Commencing at the southwest corner Lot 5, Walter Neller Company's Professional and Business Mart, on the south ½ of Section 27, T4N R2W, City of Lansing, Ingham County, Michigan thence south 310 feet ± to south line of Lot 8, west 25 feet to east line Parking Area B, then North 310 feet ± to westerly extension of south line of Lot 5, thence east 25 feet to point of beginning, and

Whereas, the Public Properties and Safety Committee of City Council has reviewed the recommendation

of the Planning Board and concurred with the concept rededicating a portion of Pennsylvania Court to retain the original design of the Neller Company plat; and

Now, Therefore, Be It Resolved, that the City of Lansing, City Council approve the concept of re-establishing the portion of vacated Pennsylvania Court as described above as public right of way, with the condition that all adjacent property owners provide title insurance and warranty deeds to the City of Lansing; and

Be It Further Resolved, that the Public Service Department make the necessary improvements to the public access drives.

Councilmember Blair returned to the meeting.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0455

Resolved by the City Council of the City of Lansing:

Whereas, the staff, Michigan Department of Transportation, Traffic Board and Mayor have recommended the installation of a traffic signal at the Cavanaugh/Logan/Mary intersection; and

Whereas this new signal will be part of a new signal subsystem along Logan Street; and

Whereas, the new subsystem will also require changes in the operation of the traffic signals at the Holmes/Logan and Jolly/Logan intersections;

Now, Therefore, Be It Resolved that the Lansing City Council hereby approves the following:

1) The installation of a traffic signal at the Cavanaugh/Logan/Mary Intersection;

2) The removal of the NO TURN ON RED prohibitions at the Holmes/Logan intersection for a 120 day trial period; and

3) The removal of the NO TURN ON RED prohibitions at the Jolly/Logan intersection for a 120 day trial period.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0456

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor has submitted for Council consideration a confirmation the appointment of Maggie Frankland to the Downtown Mall Advisory Board; and

Whereas, the Committee on Public Properties and Safety has interviewed Ms. Frankland and determined she would be a fine addition to this important board;

Now, Therefore, Be It Resolved, the City Council

of the City of Lansing does hereby officially approve and confirm the appointment of Maggie Frankland to the Downtown Mall Advisory Board for a term to expire February 1, 1987.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER BLAIR—

That Councilmembers Adado and Worthington be excused from voting on this resolution.

Carried.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0457

Resolved by the City Council of the City of Lansing:

ACT-10-85

Cowles Street Vacation

Whereas, the Oldsmobile Division of GMC and City of Lansing Property Manager have requested that property known as Cowles Street, south of the North line of the Grand Trunk Railroad right of way be vacated; and

Whereas, portions of this street were vacated in 1955 and currently there is no access to this right of way; and

Whereas, the property to be vacated is more properly described as:

Commencing at the SE corner of Lot 6 block 3 thence South 330' +/- to the South line of Plat as recorded in Liber 1 of Plats page 9 thence Southeasterly to East line of Cowles Street thence North 340' +/- to the southwest corner of Lot 7 Block 4 Albert E. Cowles Subdivision, northwest to point of beginning, City of Lansing, Ingham County, Michigan; and

Whereas, the Lansing Planning Board has reviewed this request for vacation and found that there is no public use required or intended for this property, has unanimously recommended its vacation to the interest of the adjacent property owners; and

Whereas, the City Council Committee on Public Properties and Safety has reviewed this recommendation and concurs therein with the Planning Board;

Now, Therefore, Be It Resolved, that the City Council of the City of Lansing vacate the property described above known as Cowles Street, and further that the Lansing City Attorney file this request in Circuit Court in accordance with appropriate State law addressing the vacation of public rights-of-way leading to the river.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0458

Resolved by the City Council of the City of Lansing:

Whereas, Lansing's first Capitol building was at the corner of Washington Avenue and Allegan Street; and

Whereas, there is currently only a small plaque on the north side of the Woolworth building denoting that historic site; and

Whereas, several citizens have expressed an interest in erecting a more significant historical marker to designate the abovementioned site; and

Whereas, the Gannett Foundation is considering underwriting the cost of an Official State of Michigan Historical marker to be placed in front of the Woolworth Building on South Washington Avenue; and

Whereas, permission for placement of such a marker must be given by the governing body prior to action by the Michigan History Division;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially approves and supports the concept of placing a State of Michigan Historical Marker on the South Washington Mall to designate the first State Capitol location in Lansing.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

RESOLUTION #0459

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing applied to the History Division of the Michigan Department of State for grant funds to assist in an architectural survey of housing in certain areas of the City; and

Whereas, the total grant amount of 124,211 has been awarded, City share \$24,211, State share \$12,211; and

Whereas, the City's share is \$1,100 of funds and \$11,011 of in-kind services;

Now Therefore Be It Resolved that the Lansing City Council does accept these funds.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$4,000.00 from Cemetery Water Lines (CIP)

A/C 101-936-503-974

\$4,000.00 to Cemetery Fund Contribution

A/C 101-276-000-969

(Vandalism has made repairs and resetting necessary to Brisbane Cross and 6 other monuments at Mt. Hope Cemetery.)

\$4,000.00 from Cemetery Fund-Estimated Revenues

A/C 516-000-000-160

\$4,000.00 to Parks and Rec. Repair & Maint.

A/C 516-538-000-930

(Vandalism has made repairs and resetting necessary to Brisbane Cross and 6 other monuments at Mt. Hope Cemetery.)

\$60.00 from General Fund Estimated Revenues

A/C 101-000-000-160

\$60.00 to Fire Dept. Citizens Contributions

A/C 101-337-000-956

(appropriate contribution from the neighbors of John Scott as a donation to the E.M.S. program.)

\$1,500.00 from Turner-Dodge Dev.

A/C 101-936-414-974.1

\$830.00 from South End Recreation

A/C 101-936-414-971.1

\$2,000.00 from Westside/St. Joe Tennis Ct.

A/C 101-936-414-971.4

\$1,700.00 from Court Resurfacing

A/C 101-936-414-971.6

\$6,030.00 to Dodge House Improvements

A/C 101-936-414-971.2

(expanded scope of project to replace rotted and dangerous wood and stripping of wood prior to painting.)

Recommended by:

JAN LAZAR,

Budget Director

I certify that this is a property draw and eligible transfer.

JAMES W. DOWSETT

Finance Director

APPROVED:

JAMES BLAIR

TONY BENAVIDES

Ways and Means Committee

Adopted by the following vote:

Unanimously.

By COUNCILMEMBERS BENAVIDES AND SCHMIDT—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letters and petitions received from concerned citizens in the are of Lake Lansing Rd. and East St. regarding traffic problems and accidents.

Referred to the Mayor, Traffic Division and Committee on Public Properties and Safety.

Letter from Francis N. Fine, East Lansing, MI, regarding release of escrow money for street trees for Glenburne #5 subdivision.

Referred to the Mayor.

Letter from Tom Kane, Chairman Board of Zoning Appeals, regarding need for policy guidelines for heights variances for communication towers.

Referred to the Mayor and Committee on Physical Development.

September 16, 1985

Office of the Mayor

Dear Mayor McKane:

The North school P.T.A. would like to request hanging a banner from the Cedar St. skywalk to advertise our 2nd Annual Fall Festival. We would like to hang this banner from September 30 to October 4. The festival will be Friday, October 4 from 6:00 to 9:30 p.m.

Our P.T.A. has had this request in several times previously and it has been accepted. We do carry public liability insurance in the amount of one million dollars to relieve the City of Lansing from any lawsuits.

City Attorney Sawyer approved our coverage last year for our first Fall Festival request.

If you have any questions, please feel free to contact me at the bottom number. Thank you for your consideration.

Sincerely,

DON MALUCHNIK

Father Vice-President

By COUNCILMEMBER BLAIR—

That we concur with the request from North School P.T.A. to hang a banner from the Cedar St. skywalk subject to Administrative approval.

Carried.

By COUNCILMEMBER BENAVIDES—

That this resolution be amended to include all Councilmembers instead of from Committee of the Whole.

Carried.

By COUNCILMEMBERS ADADO, BENAVIDES, BLAIR, CREAMER, LINDEMANN, SCHMIDT AND WORTHINGTON—

RESOLUTION #0460

Resolved by the City Council of the City of Lansing:

Whereas, thousands have perished in Mexico City as a result of the devastating major earthquake which struck last week; and

Whereas, rescue teams are working "round the clock" probing the rubble from crumbled buildings for survivors and victims bodies; and

Whereas, our neighbors to the South are in desperate need of all kinds of assistance including emergency food, clothing, equipment, medical supplies, and much more; and

Whereas, Lansing's Hispanic community through our public and private agencies would like to organize a fund-raising event to provide relief for our Mexican neighbors in their hour of extreme need; and

Whereas, a benefit dance at the Civic Center is tentatively scheduled for October 12, 1985;

Now, Therefore, Be It Resolved the City Council of the City of Lansing hereby authorizes the co-sponsorship of this humanitarian relief effort which will include waiving of all fees associated with the rental of the civic center main auditorium on Saturday, October 12, 1985; and

Be It Further Resolved, the funds for this cooperative community effort shall be drawn from the City's reserve for contingency account.

The resolution as amended was adopted by the following vote:

Unanimously.

By COUNCILMEMBER ADADO—

Resolved by the City Council of the City of Lansing:

That Councilmember Belen be excused from the session.

Carried.

REMARKS BY THE MAYOR

Announced that the Disabled American Veterans would be selling Forget-me-nots on the Washington Square on September 26, 27 and 28, 1985.

REMARKS BY THE CITY COUNCIL

Councilmember Lindemann remarked about trash near curb on Foster Ave. between Michigan Ave. and Vine St. and commented on the leaky roof of City Council Chambers.

Councilmember Adado reminded City Attorney's office of need for legislation for installation of Satellite Dishes in front yards.

Councilmember Benavides requested help of administration for Averill Park problems.

Councilmember Creamer thanked Channel 28 and Continental Cablevision for new equipment installed for better TV viewing.

Vivian Preston pointed out that errors spoken to in regard to Employees System Retirement Ordinance were not fault of City Clerk's Office.

By COUNCILMEMBER CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 10:10 P.M.

RITA M. BAUMAN,
City Clerk

Lansing, Michigan
September 23, 1985

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

Proceedings, September 30, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

September 30, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Schmidt.

Pledge of Allegiance.

PUBLIC HEARING

September 30, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed amendment to the district boundaries of Lansing Industrial Development District, 1800 and 1818 Bassett Ave. (Cameron Tool).

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed amendment to district boundaries they will have the privilege of speaking at this time.

Referred to the Committee on Economic Development.

September 30, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Lansing Commercial Redevelopment District CRD-9-85 for 218-232 S. Capitol Avenue, The Accident Fund of Michigan.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed District they will have the privilege of speaking at this time.

Referred to the Committee on Economic Development.

September 30, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Lansing Industrial Rehabilitation District IPR-5-85, 130 to 210 N. Larch St., Inter State Foods, Inc.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Industrial Plant Rehabilitation District they will have the privilege of speaking at this time.

Referred to the Committee on Economic Development.

By COUNCILMAN BENAVIDES—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Mr. Wilson and Mr. D'Valentine from St. Vincent Home for Children spoke of the dedication of the Edwin G. Lindemann Memorial Recreational Area in honor of Mr. Lindemann.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

RESOLUTION #0461

Whereas The St. Vincent Home for Children located at 2800 West Willow in Lansing will be dedicating a new recreational area on October 7th 1985 designated as *International Day of the Child*, and

Whereas the new name of the recreational area will be "*The Edwin G. Lindemann Memorial Recreational Area*", and

Whereas Ed Lindemann's love of children is clearly evidenced by his 12 children, 51 grandchildren and 16 great-grandchildren, and

Whereas The St. Vincent Home for Children is pleased to honor the life of this kind and generous man not only by dedicating the recreational area to his memory but also by the establishment of a trust fund in his name for the eventual construction of a multipurpose gymnasium, and

Whereas this special dedication ceremony will take place at the Home at 2:00 p.m. on Monday, October 7, 1985 now,

Therefore Be It Resolved, the City Council of the City of Lansing hereby officially salutes the St. Vincent Home for Children and commends the dedicated staff members on their sensitivity to the selfless generosity and community minded contributions of Lansing citizens like Edwin G. Lindemann.

Adopted by the following vote:

Unanimously.

By COUNCILMAN CREAMER—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Presentation to Larry Maiers and David Osborn for the Michigan Retailers Association building.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Mayor's letter 5T was pulled from the agenda.

George Swanson, an employee of the Public Service Department, spoke regarding Resolution 9A and 9B.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been submitted for licenses:

Automobile Wrecker—Haslett Superservice.
Peddler—Bob Craven; Edward J. Caro.

Referred to Committee on General Services.

Claims filed by:

a. Lee H. Dibble, 1604 Wood Street, for broken windshield from a golf ball.

b. Mr. and Mrs. Robert Madole, Greenville, MI, for reimbursement of cost for automobile tire damaged by metal plate across traffic lanes on Ottawa St. near Seymour St.

c. Michael Butka, 6724 Bickett Blvd., for reimbursement of ambulance fees.

Referred to the Mayor and City Attorney.

Petition filed for rezoning—Z-27-85—508-512-516-524 Ash St. and 920-928 N. Cedar St. described as, Lot 4, Lot 5, Lot 6, Lot 7 Lot, 8, Lot 9

and E. 61 ft. of W. 132 Ft. Lot 33, Assessor's Plat No. 29 of Block 18, Original Plat, City of Lansing, County of Ingham, Michigan to be rezoned from "H" Light Industrial District to "C" Residential District, filed by Lansing City Council.

Referred to the Mayor and Planning Board.

Michigan Association of Home Builders, 426 S. Walnut St., submits letter regarding excessive billing for water from the Board of Water and Light.

Received and placed on file.

Michigan Department of Natural Resources submits permit for construction within the Sycamore Creek Flood Plain.

Received and placed on file.

MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

Mr. Boyd, Mayor's Executive Assistant, did not have any comments.

REPORTS OF COMMITTEE

The COMMITTEE ON GENERAL SERVICES—

Approves the following Licenses and Bonds:

Automobile Wrecker—Haslett Superservice
Peddler—Bob Craven; Edward J. Caro

Signed:

SIDNEY WORTHINGTON
ALFREDA SCHMIDT
CHARLES CREAMER
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON GENERAL SERVICES—

To whom was referred the Ordinances: (1) Repealing Ordinance No. 702, Sections 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42, and 26-44 of Chapter 26 for the reason of correcting legal deficiencies.

(2) providing that Chapter 26 of the code of Ordinances be amended by revising sections 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42, and 26-44 for the purpose of updating the General Employees' Retirement System ordinance in order to provide for gender neutral legislation and payment of retirement benefits to beneficiaries of employees who are vested but die prior to retirement age.

Reports as follows: That said Ordinances be approved.

Signed:

SIDNEY WORTHINGTON
ALFREDA SCHMIDT
CHARLES CREAMER
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT—

To whom was referred the rezoning petitions:

Z-19-85—6070-6200 South Logan Street to be rezoned from "A" Residential District to "E-2" Local Shopping District.

Z-21-85—5300 5316 South Pennsylvania Avenue to be rezoned from "A" Residential District to "F" Commercial District.

Z-23-85—426 East Northrup St. to be rezoned from "E-1" Apartment Shop District to "E-2" Local Shopping District reports as follows:

That said rezoning be approved.

Signed:

LUCILE BELEN
TONY BENAVIDES
CHARLES CREAMER
Committee on Physical Development

By COUNCILMEMBER BELEN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

September 26, 1985

President Charles Creamer and
Members of Lansing City Council

RE: Claim of James H. Amos in the amount of \$30.00.

Dear President Creamer and
Members of City Council:

On July 9, 1985, James H. Amos submitted a claim for \$30.00 for a towing charge. Claimant states his car quit running at Alice and Logan Streets on May 15, 1985, that he raised the hood and walked home to pick up another car. Approximately 30-40 minutes later, he returned to find a police officer issuing a parking ticket and his car in tow. He asked the officer to allow him to move the vehicle personally but the officer allegedly said he had no authority to terminate the towing process. The tow truck operator allegedly declined to release the car unless claimant paid a tow-

ing charge. In light of that, claimant said he asked the two truck operator to take the car to his own property and paid the tow charge. Claimant was ticketed for causing a traffic hazard, which ticket was later dismissed. Claimant seeks reimbursement for the towing charge of \$30.00.

Investigation of the claim confirms that the Lansing Police Department arranged for claimant's vehicle to be towed on May 15 due to its causing a traffic hazard and that a parking ticket was issued. The parking referee reports that he dismissed the ticket because claimant made a prompt and good faith effort to remove the vehicle, and not because a traffic hazard did not exist. The referee believed a traffic hazard did exist for the period in question, but determined the tow charge was sufficient penalty under all the circumstances.

State law empowers a police agency to provide for the immediate removal of a vehicle from public property to a place of safe-keeping, at the owner's expense, if the vehicle is parked or standing upon the highway in such a manner as to create an immediate public hazard or an obstruction of traffic. MCLA 257.252d. The same statute provides that the owner may contest the propriety of the removal or of the towing fees by filing a petition in 54A District Court within 20 days after being notified of the towing.

The facts indicate a traffic hazard did exist for a short period of time, and that the vehicle was properly towed at the owner's expense. Claimant also failed to petition the Court to dismiss the towing charge in a timely manner. Based upon all of the above facts and law, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendations of the City Attorney and this claim be denied.

Carried.

September 26, 1985

President Charles Creamer and
Members of the Lansing City Council

Dear Councilmembers:

In accordance with Section 7-107 of the Lansing City Charter, I am forwarding copies of the executive transfer that have been placed on file in the City Clerk's Office by the Budget Director.

Most sincerely,

RITA M. BAUMAN,
City Clerk

Received and placed on file with copy to the Committee on Ways and Means.

September 27, 1985

President Charles Creamer and
Members of the Lansing City Council

Dear Councilmembers:

Attached herewith are copies of signed "approval of location only" from City Departments for Lansing, Inc., 127 W. Washtenaw (formerly Capitol Lounge) for transfer of ownership for business sold in 1983 and reacquired through bankruptcy court.

The attached correspondence is submitted with my approval for your concurrence.

Most sincerely,

RITA M. BAUMAN,
City Clerk.

By COUNCILMEMBER WORTHINGTON—

That we concur in the recommendation of the City Clerk and approve the transfer for location of the liquor license for 127 W. Washtenaw St. to be returned to original owner inasmuch as all signatures of the departments have been obtained.

Carried.

September 20, 1985

Councilman Charles Creamer
President of Lansing City Council

Cear Councilman:

The Board of Water and Light is requesting a special permit, as required by Article V, Section 36-64 of the Code of Ordinances, to construct a dike to protect our property at the corner of Pennsylvania Avenue and Hazel Street from the flood waters of the Red Cedar River. Copies of the application form filed with the Michigan Department of Natural Resources and the hydraulic report prepared for the project are enclosed for your review.

The dike, as shown on the attached plan view, will be constructed to an elevation of 831.5 feet. This design corresponds with Alternative 3 described in the hydraulic report. It is planned to use the top of the dike along the Red Cedar River as part of the City's planned hiking/biking path.

If you have any questions regarding this request, please feel free to contact our Environmental Engineering Department at (517) 487-4820.

Very truly yours,

JOSEPH PANDY, JR.
General Manager
Board of Water and Light

Referred to the Mayor, Planning and Public Service Department.

Map and books on file in City Clerk's Office.

9/23/85

TO: City Council President Creamer and
Councilmembers

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application—Lansing Branch
N.A.A.C.P.

Attached is an application for a parade permit from

the above-referenced organization, scheduled for 10:00 AM on Saturday, October 5, 1985, which has been approved by all the necessary departments.

Our personnel estimate this will cost a total of \$42.46, which represents two officers and two vehicles for one hour.

This is being sent to you for final action.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Police Chief and this parade permit be approved.

Carried.

9/27/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence

RE: Crossing Guard Request: North East Street and
Vance Street (Gier Park School)

The attached correspondence is submitted for your information.

TERRY J. MCKANE,
Mayor.

Received and placed on file.

9/26/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director of Planning & Municipal Develop-
ment

RE: Tax Abatement Application Review

The attached correspondence is submitted for your information.

TERRY J. MCKANE,
Mayor.

Received and placed on file.

9/26/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Lansing Planning Board

RE: Planning Board Meeting Cancellation

The attached correspondence is submitted for your information.

TERRY J. MCKANE,
Mayor.

Received and placed on file.

9/26/85

TO: City Council President Creamer and Councilmembers
FROM: Terry J. McKane, Mayor
SUBJECT: Submission of attached correspondence from the Lansing Planning Board
RE: ACT-22-85, 1621 Martin Street

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Physical Development.

9/26/85

TO: City Council President Creamer and Councilmembers
FROM: Terry J. McKane, Mayor
SUBJECT: Submission of attached correspondence from the Lansing Planning Board
RE: ACT-26-85, Beechfield Drive Cul-De-Sac

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

9/26/85

TO: City Council President Creamer and Councilmembers
FROM: Terry J. McKane, Mayor
SUBJECT: Submission of attached correspondence from Lansing Planning Board.
RE: ACT-25-85, Pere Marquette Drive

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

9/26/85

TO: City Council President Creamer and Councilmembers
FROM: Terry J. McKane, Mayor
SUBJECT: Submission of attached correspondence from the Lansing Planning Board
RE: P-3-85, Midwood Meadows Tentative Preliminary Plat

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Physical Development.

9/26/85

TO: City Council President Creamer and Councilmembers
FROM: Terry J. McKane, Mayor
SUBJECT: Submission of attached correspondence from Planning Division, Department of Planning & Municipal Development
RE: Z-24-85, 2420 North Grand River Avenue

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Physical Development.

9/26/85

TO: City Council President Creamer and Councilmembers
FROM: Terry J. McKane, Mayor
SUBJECT: Submission of attached correspondence from Director of Planning & Municipal Development
RE: Grass Assessment for December 1985 Tax Roll (L-27) \$3,596.25

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and the Grass Assessment in the amount of \$3,596.25 be placed on the December 1985 Tax Roll (L-27).

Carried.

9/26/85

TO: City Council President Creamer and Councilmembers
FROM: Terry J. McKane, Mayor
SUBJECT: Submission of attached correspondence from Director of Planning & Municipal Development
RE: Grass Assessment for L-27 December 1985 Tax Roll \$3,048.75

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and the grass assessment in the amount of \$3,048.75 be placed on the December 1985 Tax Roll L-27.

Carried.

9/26/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director of Planning & Municipal Develop-
ment

RE: Trash Assessment for U-29 December 1985 Tax
Roll \$3,562.00

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and the Trash Assessment in the amount of \$3,562.00 be placed on the December 1985 Tax Roll U-29.

Carried.

9/24/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Public Service Director

RE: Trash in R.O.W. Removal Assessments for
December, 1985 Tax Roll (V-11)

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and the Trash in R.O.W. Removal Assess-
ments be placed on the December, 1985 Tax Roll
(V-11).

Carried.

9/23/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from City Assessor, Paul S. Creevy

RE: Resignation as City Assessor

The attached correspondence is submitted with my
regrets for your information.

TERRY J. McKANE,
Mayor.

Received and placed on file.

9/20/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from James Dowsett, Finance Director

RE: Letter submitted to Council at September 16th
Council Meeting re: Proposals to Change Some
Retirement System Procedures

The attached correspondence is submitted for your
information.

TERRY J. McKANE,
Mayor.

Referred to the Committee on General Services.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the pur-
pose of Mayor McKane presenting John DiBiaggio,
President of Michigan State University and his wife,
Carolyn.

9/26/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director of Parks & Recreation

RE: Problems at Averill School/Park

The attached correspondence is submitted for your
information.

TERRY J. McKANE,
Mayor.

Received and placed on file with copy sent to Com-
mittee on Intergovernmental Relations.

September 26, 1985

City Council President Charles Creamer and
Lansing City Councilmembers

Dear President Lindemann and Councilmembers:

I herewith submit to you for your consideration and
confirmation the appointment of Derwood L. Boyd to

the Capital Region Airport Authority. The term will expire October 14, 1986.

Mr. Boyd resides at 3308 Melody Lane and is the owner and operator of the Boyd Insurance Agency. He is actively involved in several civic organizations.

I trust you will give careful consideration to the appointment of Derwood L. Boyd to this important Board.

Best personal regards,

Sincerely,

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER BLAIR—

That we concur in the recommendation of the Mayor and appoint Derwood L. Boyd to the Capital Region Airport Authority.

Carried.

9/27/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Parks and Planning & Municipal Develop-
ment

RE: Request from Francis Fine—Tree Planting in
Glenburne #5

Based on the attached memorandums, it is my recommendation that we not eliminate the escrow requirements for street trees in Glenburne #5.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Physical Development.

September 27, 1985

Council President Charles Creamer and
City Councilmembers

Dear President Creamer and Councilmembers:

The grant application for the 1986 Equity funds is to be prepared and submitted by November 1, 1985. The Application will be developed for \$500,000 the maximum amount that can be applied for. The projects I am recommending for this year are as follows:

1. A floating lighted fountain to be constructed by the Board of Water and Light out in the river that will float like a raft. The fountain will be 20 feet across the 24 spray points that will shoot 30 feet in the air. The raft-like fountain will be anchored so it will be to the west side of the river and will not interfere with river traffic. The Board will be providing funds also.
\$50,000

2. A Michigan Farm Animal Display for the Potter Park Zoo. Funds had been applied for through the Land and Water Conservation funds in the Spring of 1985. The request was not awarded.
\$80,000

3. The Library.
\$30,000

4. The Art Groups—\$70,000
Impression V
Boarshead Theater
Arts Council Center
Lansing Symphony Orchestra
Lansing Art Gallery
R. E. Olds Museum
Opera Company of Mid Michigan
The allocation is the same as last year.

5. Grant Program for Art Groups not included in number 4.
(Increase of \$5,000 from last year.)
\$15,000

6. The development of Banners for the downtown area light posts signifying important events similar to the Christmas Banners except these banners will be larger.
\$5,000

7. Reconstruction of the Michigan Avenue Bridge railing. This project will reduce the current solid 48" railing to 28" and a tubular rail will be added to the top to permit the viewing of the river and river activities by pedestrians and motorists.
\$35,000

8. The Approach to the Capitol—The Project is expected to be under construction by August 1, 1986.
\$215,000.

The \$200,000 that was designated for the Approach to the Capitol last year was utilized for a new drain project in Potter Park. The new utility lines and drains needed to be installed, previous to the development of the new displays as outlined in the Zoo Master Plan. In the Fall of 1984 the State requested an alternative project in the event the Convention Center did not commence before October 15, 1985. The Zoo project was submitted as the alternative as it was eligible under the legislation and it was a project that could commence before the deadline. On July 22, 1985 you approved a resolution approving the utilization of the funds for the Zoo project, because the Federal funds for the Approach to the Capitol project would not be available before October 1, 1985 as required by the program.

A suggested resolution is attached for your approval.

Thank you for your assistance and cooperation.

Sincerely,

TERRY J. McKANE,
Mayor.

Referred to the Committee of the Whole.

September 24, 1985

Council President Creamer and City
Council Members

Dear Council President Creamer and Council
Members:

I have attached for your consideration recommended budget policies and priorities for FY 86-87. As re-

quired by City Charter, Council must adopt such policies and priorities each October. To facilitate this effort, I have prepared a recommendation for inclusion of several items that I believe will be major policy issues for the upcoming budget.

I, as well as staff, will be available to meet with you to discuss these recommendations.

Your truly,

TERRY J. MCKANE,
Mayor.

Referred to the Committee of the Whole.

September 26, 1985

Council President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and City Councilmembers:

I herewith submit to you for your consideration and confirmation the appointments of Michael C. Bohnet and Kevin C. Kevwitch as Temporary Directors for the Accident Fund downtown project.

Mr. Bohnet is Director of Marketing, Motor Wheel Corporation and resides at 4232 W. Willow.

Mr. Kevwitch is employed with the First Federal of Michigan and resides at 630 N. Magnolia.

I trust you will give careful consideration to the appointment of Mr. Michael C. Bohnet and Mr. Kevin C. Kevwitch to this important project.

Best personal regards,

Sincerely,

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Economic Development.

9/26/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Parks and Recreation Director

RE: Proposal to use City Greenhouse

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

RESOLUTIONS

By COMMITTEE ON GENERAL SERVICES—
RESOLUTION #0462

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 5312 South Waverly Road, legally described as:

N. 1 acre of that part of N. FRL ½ of N.E. FRL ¼ lying S.E. of RR R.O.W. Section 1 Town 3N, Range 3W

Was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Officers on July 25, 1985, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on September 23, 1985 to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building; and

Be It Further Resolved that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution; and

Be It Further Resolved that, should the owner fail to substantially comply with the Hearing Officer's order for demolition or otherwise make safe, the Director of the Department of Building Safety and Development is hereby directed to proceed with demolition of said building; and

Be It Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Finally Resolved that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND
SAFETY—

RESOLUTION #0463

Resolved by the City Council of the City of Lansing:

Whereas, the Committee on Public Properties and Safety has considered recommendations from the school district, parents, the P.T.A., the Lansing Police Department as well as other interested citizens regarding the placement of an adult crossing guard on North East Street near Vance at the easterly exit of the skywalk over US-27; and

Whereas, the traffic volume and numbers of school children crossing in this area warrants a crossing guard;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially authorizes the placement of an adult crossing guard on North East Street near Vance at the east end of the Skywalk going over US-27.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0464

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff has recommended denial of a citizen request through Councilmember Benavides for traffic control at the intersection of Moffitt Street and Hughes Road; and

Whereas, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a citizen request through Councilmember Benavides for a traffic control at the intersection of Moffitt Street and Hughes Road;

Now, Therefore Be It Resolved, the Lansing City Council hereby approves the installation of STOP signs on Moffitt Street at Hughes Road.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0465

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff has recommended denial of a citizen petition for traffic control at the intersection of Luwanna Drive and Champion Way/Solomon Drive; and

Whereas, Stop signs were installed on a temporary basis in April, 1985; and

Whereas, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended permanent approval of a citizen petition for traffic control at the intersection of Luwanna Drive and Champion Way/Solomon Drive;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the installation of a STOP sign on Luwanna Drive at Champion Way/Solomon Drive.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0466

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff has recommended denial of a citizen request for traffic control at the intersection of Stoneleigh Drive and Solomon Drive; and

Whereas, Stop signs were installed on a temporary basis in April, 1985; and

Whereas, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended permanent approval of a citizen petition for traffic control at the intersection of Solomon Drive and Stoneleigh Drive;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the installation of STOP signs on Stoneleigh Drive at Solomon Drive.

Adopted by the following vote:

Unanimously.

By COUNCILMAN ADADO—

RESOLUTION #0467

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-4-85, on property at 419 Cherry Street; and

Whereas Otis Elevator Company, has applied for a Commercial Facilities Exemption Certificate for renovation of an existing facility at 419 Cherry Street; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on Otis Elevator's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-4-85; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, October 21, 1985 at 7:00 pm. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BENAVIDES—

RESOLUTION #0468

Resolved by the City Council of the City of Lansing:

Whereas, the United Nations observes its 40th Anniversary on October 24, 1985; and

Whereas, the United Nations Association, the State of Michigan and the City of Lansing will once again observe United Nations Day with a program and reception in Lansing City Hall;

Now, Therefore, Be It Resolved, the Lansing City Council hereby authorizes the City's Co-Sponsorship of United Nations Day activities in Lansing on Thursday, October 24, 1985.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

RESOLUTION #0469

Resolved by the City Council of the City of Lansing:

SLU-14-85
5725 Orchard Court

Whereas Community Mental Health has requested a Special Land Use Permit to operate an adult foster care facility for a maximum of eight (8) developmentally disabled adults at 5725 Orchard Court and more particularly described as:

Lot 2, Richfield Park Subdivision, T3N, R2W, City of Lansing, Ingham County, Michigan; and

Whereas the premises was inspected by the Planning Division, Building Division and Fire Marshal's office; and

Whereas certain improvements to the premises are required; and

Whereas the Planning Board has reviewed this request in accord with Section 36-15.1(6) of the Zoning Code and determined that this facility will not have an adverse impact upon the surrounding neighborhood; and

Whereas the Planning Board, on Tuesday, September 24, 1985, voted to recommend approval thereof subject to conditions; and

Whereas the Physical Development Committee of Council, to whom the report of the Planning Board was referred, concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby expresses its intent to approve a Special Land Use Permit for the property at 5725 Orchard Court upon certification by the Planning Division, Building Division and Fire Marshal's office that all necessary codes have been complied with; and

Be It Further Resolved that this resolution of intent shall expire after six (6) months, except that the petitioner may request an extension; and

Be It Finally Resolved that the City Clerk be directed to notify the petitioner of this action and the conditions thereof.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

RESOLUTION #0470

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a policy regarding the disposition of vacant lots in Neighborhood Development Areas; and

Whereas, Section 8-403.4 of the City Charter of the City of Lansing required that City Council approve proposed sales of real estate;

Now Therefore, Be It Resolved by the Lansing City Council that the following proposed sales be and are hereby approved:

To the Mt. Zion Baptist Church of 1317 Ballard Street, Lansing, Michigan, the property legally described as—Lots 1 through 6 including the South 33 feet of Lot 7, Block 4, Handy Home Addition, City of Lansing, Ingham County, Michigan (commonly known as vacant land in the 1500 Block of Ballard Street, Assessor's No. 3301-10-152-112-6).

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$4,000.00 from General Fund Reserve for Contingency

A/C 101-941-000-963

\$4,000.00 to Parks and Rec./Parks Constr. (Construction of walkway to Bancroft Park & gate at end of North Street.)

A/C 101-718-000-799

\$18,455.00 from Fire Dept. Salaries—Suppression

A/C 101-339-000-702

11,148.00 to Fire Dept. Salaries—Admin.

A/C 101-337-000-702

840.00 to Administration—Longevity

A/C 101-337-000-712

5,660.00 to Dispatch Div.—Salaries

A/C 101-348-000-702

807.00 to Alarm Div.—Salaries

(Funding civ. Admin. Asst. 29 through Nov. 1985

A/C 101-345-000-702

—Act 312 arbit. on matter due to be resolved, add. merit reserve for Asst. Fire Chief—merit steps eff. sooner than budgeted; Long. for vic. Admin. Asst. 29 not funded in budget, & trans. of full-pay fire-fighter funded at 1st-yr. level; and pay retro. acting time to two persons due to court-ordered promotion to division.)

Balance remaining in the Reserve for Contingency Fund after this transfer is \$468,553.00.

Recommended by:

JANET LAZAR,
Budget Director

I hereby certify that this is a properly drawn and eligible transfer.

JAMES DOWSETT,
Finance Director

APPROVED:

JAMES BLAIR
TONY BENAVIDES
Ways and Means Committee

Adopted by the following vote:

Unanimously.

ORDINANCES

By COUNCILMAN BELEN—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Mich. and for the revision of the district maps adopted by Section 36-6 of the code for property located at:

Z-19-85—6070-6200 South Logan Street to be rezoned from "A" Residential District to "E-2" Local Shopping District.

Z-21-85—5300-5316 South Pennsylvania Avenue to be rezoned from "A" Residential District to "F" Commercial District.

Z-23-85—426 East Northrup to be rezoned from "E-1" Apartment Shop District to "E-2" Local Shopping District and recommended that the ordinance be passed.

Carried.

By COUNCILMEMBER BELEN—

I move that the reading of this Ordinance be considered as being read in its entirety.

Carried.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-19-85—6070-6200 South Logan Street to be rezoned from "A" Residential District to "E-2" Local Shopping District be placed on order of immediate passage.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of

the Code for property located at Z-19-85—6070-6200 South Logan Street to be rezoned from "A" Residential District to "E-2" Local Shopping District be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2167

An Ordinance of the City of Lansing, Michigan, providing for the rezoning of parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing Ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number—Z-19-85, 6070-6200 South Logan Street

Parcel Number: 3305-05-356-001'

Legal Description: Lots 11, 12, 13, 14, and 23, Plat of Blesener Subdivision, City of Lansing, Ingham County, Michigan.

From "A" Residential District to "E-2" Local Shopping District. Landscape, screening and buffering shall be implemented in accord with Section 36-146 of the Code of Ordinances.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN BELEN—

I move that the reading of this ordinance be considered as being read in its entirety.

Carried.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-21-85—5300-5316 South Pennsylvania Avenue to be rezoned from "A" Residential District to "F" Commercial District be placed on order of immediate passage.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-21-85—5300-5316 South Pennsylvania Avenue to be rezoned from "A" Residential District to "F" Commercial District be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2168

An Ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing Ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-21-85, 5300-5316 South Pennsylvania Avenue

Parcel Number: 3305-03-128-112,
3305-03-128-003k, 3305-03-102-111

Legal Description: The east 150 feet of Lot 4, Battefield Subdivision #1, Section 3, T3N, R2W, City of Lansing, Ingham County, Michigan.

From "A" Residential District to "F" Commercial District. Landscape, screening and buffering shall be implemented in accord with Section 36-146 of the Code of Ordinances.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN BELEN—

I move that the reading of this ordinance be considered as being read in its entirety.

Carried.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision

of the district maps adopted by Section 36-6 of the Code for property located at Z-23-85—426 East Northrup to be rezoned from "E-1" Apartment Shop District to "E-2" Local Shopping District be placed on order of immediate passage.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-23-85—426 East Northrup to be rezoned from "E-1" Apartment Shop District to "E-2" Local Shopping District be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2169

An Ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing ordains:

Section 1, That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-23-85, 426 East Northrup

Parcel Number: 3305-04-401-071

Legal Description: Commencing at the north 1/8 post of the southeast 1/4 of Section 4, T3N, R2W; thence west 188 feet; thence south 198 feet; thence east 261.5 feet parallel with the east and west 1/4 line to the westerly line of Cedar St.; thence northwesterly along the westerly line of Cedar St. on a curve of radius of 2,908 feet a distance of 207.9 feet, the bearing of the long chord is north 16°28' west; thence west 15 feet to the point of beginning, City of Lansing, Ingham County, Michigan.

From "E-1" Apartment Shop District to "E-2" Local Shopping District. Landscape, screening and buffering shall be implemented in accord with Section 36-146 of the Code of Ordinances.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN WORTHINGTON—

The Committee reported that it had considered an

ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by:

PROVIDING FOR THE REPEAL OF ORDINANCE NO. 702, SECTIONS 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42, and 26-44 OF CHAPTER 26 FOR THE REASON OF CORRECTING LEGAL DEFICIENCIES.

PROVIDING THAT CHAPTER 26 OF THE CODE OF ORDINANCES BE AMENDED BY REVISING SECTIONS 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42, and 26-44 FOR THE PURPOSE OF UPDATING THE GENERAL EMPLOYEES' RETIREMENT SYSTEM ORDINANCE IN ORDER TO PROVIDE FOR GENDER NEUTRAL LEGISLATION AND PAYMENT OF RETIREMENT BENEFITS TO BENEFICIARIES OF EMPLOYEES WHO ARE VESTED BUT DIE PRIOR TO RETIREMENT AGE AND RECOMMENDED THAT THE ORDINANCE BE PASSED.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by REPEALING ORDINANCE NO. 702, Sections 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42, and 26-44 OF CHAPTER 26 FOR THE REASON OF CORRECTING LEGAL DEFICIENCIES be placed on order of immediate passage.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by REPEALING ORDINANCE NO. 702, Sections 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42, and 26-44 OF CHAPTER 26 FOR THE REASON OF CORRECTING LEGAL DEFICIENCIES BE NOW PASSED.

By COUNCILMAN ADADO—

That we amend this Ordinance to read after the words "Ordinance NO. 702" insert the words "the Ordinance as adopted on June 24, 1985".

Carried.

The Ordinance as amended was adopted by the following vote:

Yeas—Councilmember Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Nays—none.

ORDINANCE NO. 706

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN PROVIDING FOR THE REPEAL OF SECTIONS 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42, and 26-44 OF CHAPTER 26 FOR THE REASON OF CORRECTING LEGAL DEFICIENCIES.

The City of Lansing Ordains: Section 1. That Sections 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42, and 26-44 OF CHAPTER 26 OF THE Code of Ordinances of Lansing, Michigan are hereby repealed and declared null and void and of no effect.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

This ordinance being necessary for the immediate preservation for the public peace, health or safety shall take effect upon its passage.

Carried.

By COUNCILMEMBER WORTHINGTON—

That we substitute the Ordinance dated September 30, 1985 for the one dated September 26, 1985 in our packets.

Carried.

By COUNCILMEMBER WORTHINGTON—

That we consider the reading of this Ordinance as being read in its entirety.

Carried.

September 30, 1985

Sidney Worthington, Chairman
General Services Committee

Dear Mr. Worthington:

Based upon the meeting of the General Services Committee on September 30, 1985 and based upon the recommendations of the General Employees' Retirement Board, the General Employees' Retirement System Ordinance, Chapter 26, dated September 30, 1985 contains the following changes from the General Employees' Retirement System Ordinance dated September 25, 1985:

1. Page 1, line 22, the following sentence has been added:

The phrase 'contractual basis', as set forth herein, shall not be applicable to those regular full-time employees of the City who are required to sign employment contracts under the January 15, 1985 per-

sonnel rules for management plan personnel or Council staff personnel as a condition of employment.

2. Page 10, line 25, deletion of the phrase: in accordance with the age and service requirements of Section 26-21

3. Page 13, line 6 and 7, deletion of the phrase: and have a beneficiary designated at the time of death, the member's beneficiary

and substitution of the phrase on line 6 'the designated surviving spouse'.

4. Page 13, line 8, Change the phrase Section 26-22(A) to read Section 26-27(A).

5. Page 13, line 13, delete the word 'beneficiary's' and substitute the phrase 'designated surviving spouses'.

6. Page 13, line 15, delete the word 'beneficiary' and substitute the phrase 'designated surviving spouse'.

7. Page 26, lines 19 and 20, delete the phrase 'and shall be transferred to the income fund.'

8. Page 28, line 24-27 delete the sentence 'The board may from time to time transfer from the pension accumulation fund to the income fund such amounts as are required to cover any deficiency in the income fund.'

Respectfully submitted,

ALVAN P. KNOT,
Chief Assistant City Attorney

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by PROVIDING THAT CHAPTER 26 OF THE CODE OF ORDINANCES BE AMENDED BY REVISING SECTIONS 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42, and 26-44 FOR THE PURPOSE OF UPDATING THE GENERAL EMPLOYEES' RETIREMENT SYSTEM ORDINANCE IN ORDER TO PROVIDE FOR GENDER NEUTRAL LEGISLATION AND PAYMENT OF RETIREMENT BENEFITS TO BENEFICIARIES OF EMPLOYEES WHO ARE VESTED BUT DIE PRIOR TO RETIREMENT AGE be placed on order of immediate passage.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by PROVIDING THAT CHAPTER 26 OF THE CODE OF ORDINANCES BE AMENDED BY REVISING SECTIONS 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42, and 26-44 FOR THE PURPOSE OF UPDATING THE GENERAL EMPLOYEES'

RETIREMENT SYSTEM ORDINANCE IN ORDER TO PROVIDE FOR GENDER NEUTRAL LEGISLATION AND PAYMENT OF RETIREMENT BENEFITS TO BENEFICIARIES OF EMPLOYEES WHO ARE VESTED BUT DIE PRIOR TO RETIREMENT AGE be now passed.

Adopted by the following vote:

Yeas—Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Nays—none.

ORDINANCE NO. 707

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT CHAPTER 26 OF THE CODE OF ORDINANCES BE AMENDED BY REVISING SECTIONS 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42, and 26-44 FOR THE PURPOSE OF UPDATING THE GENERAL EMPLOYEE'S RETIREMENT SYSTEM ORDINANCE IN ORDER TO PROVIDE FOR GENDER NEUTRAL LEGISLATION AND PAYMENT OF RETIREMENT BENEFITS TO BENEFICIARIES OF EMPLOYEES WHO ARE VESTED BUT DIE PRIOR TO RETIREMENT AGE.

The City of Lansing Ordains: Section 1. That Chapter 26 of the Code of Ordinances of Lansing, Michigan be amended by revising Sections 26-1, 26-5, 26-6, 26-7, 26-8, 26-9, 26-10, 26-14, 26-18, 26-19, 26-21, 26-22, 26-23, 26-24, 26-25, 26-26, 26-26.1, 26-28, 26-29, 26-30, 26-32, 26-33, 26-33.1, 26-34, 26-35, 26-36, 26-38, 26-39, 26-40, 26-41, 26-42 and 26-44 to read as follows:

Chapter 26

GENERAL EMPLOYEES' RETIREMENT SYSTEM

Sec. 26-1. Definitions.

The following words and phrases as used in this chapter, unless a different meaning is plainly required by the context, shall have the following meanings:

(1) Retirement system or system means the retirement system established under this chapter.

(2) Employee means:

(a) Any regular or permanent officer or employee of the city, and FOR THE SOLE AND EXCLUSIVE PURPOSES OF THIS RETIREMENT SYSTEM any employee of the Lansing Housing Commission. From and after January 1, 1971, any person who is employed on a regular or permanent basis by THE District Court, except the judges of such court, shall be considered an "employee" of the city for the sole and exclusive purposes of this retirement system. The term "employee" shall not include any person who is compensated by the city or by THE District Court wholly on a fee or contractual basis, nor the medical director, nor elective officials of the city, except as provided in paragraph (b) of this subsection, nor judges of THE District Court. THE PHRASE "CONTRACTUAL BASIS", AS SET FORTH HEREIN, SHALL NOT BE APPLICABLE TO THOSE

REGULAR FULL-TIME EMPLOYEES OF THE CITY WHO ARE REQUIRED TO SIGN EMPLOYMENT CONTRACTS UNDER THE JANUARY 15, 1985 PERSONNEL RULES FOR EXECUTIVE MANAGEMENT PLAN PERSONNEL OR COUNCIL STAFF PERSONNEL AS A CONDITION OF EMPLOYMENT.

(b) Any elective official of the city shall be considered an employee, within the meaning of this chapter, upon FILING A WRITTEN application with the board.

(c) In any cases of doubt, the board shall decide who is an employee within the meaning of this chapter.

(3) Member means any person who is included in the membership of the retirement system.

(4) Compensation means a member's salary, wages and longevity bonus paid by the city for personal services rendered by THE MEMBER to the city, DISTRICT COURT OR LANSING HOUSING COMMISSION, WHICHEVER IS APPLICABLE, as an employee. In case a member's compensation is not all paid in money the council shall fix the value of that part of THE MEMBER'S compensation not paid in money.

(5) Service means personal service rendered to the city, DISTRICT COURT OR LANSING HOUSING COMMISSION, WHICHEVER IS APPLICABLE, by an employee.

(6) Credited service means the number of years, and fraction of a year, of service standing to a member's credit in THE MEMBER'S service account.

(7) Board of trustees or board means the board of trustees of THE GENERAL EMPLOYEES' RETIREMENT SYSTEM AS provided for in this chapter.

(8) Regular interest means such rate or rates of interest per annum, compounded annually, as the board shall from time to time determine, subject to the approval of the council.

(9) Accumulated contributions means the sum of all amounts deducted from the compensation of a member and credited to THE MEMBER'S individual account in the employees savings fund, together with regular interest thereon.

(10) Final average compensation means the average of the highest annual compensation paid a member during a period of two (2) consecutive years of credited service contained within THE MEMBER'S ten (10) years of credited service immediately preceding the date THE MEMBER'S employment with the city, DISTRICT COURT OR LANSING HOUSING COMMISSION last terminated. In the event THE MEMBER has less than two (2) years of credited service, THE MEMBER'S final average compensation shall be the average of THE MEMBER'S annual compensation for THE MEMBER'S total years of credited service.

(11) Final compensation means a member's annual rate of compensation at the time of termination of THE MEMBER'S last employment BY the city, DISTRICT COURT OR LANSING HOUSING COMMISSION.

(12) Annuity means an annual amount, derived

from a member's accumulated contributions, payable in equal monthly installments throughout the future life of a person, or for a temporary period as provided in this chapter.

(13) Pension means an annual amount, derived from money provided by the city, payable in equal monthly installments throughout the future life of a person or for a temporary period as provided in this chapter.

(14) Retirement allowance means the sum of the annuity and the pension.

(15) Retirant means a member who retires from employment with a retirement allowance payable by the retirement system.

(16) Beneficiary means any person, except a retirant, who is in receipt of, or who has entitlement to, a pension, retirement allowance, or other benefit payable by the retirement system.

(17) Annuity reserve means the present value of all payments to be made on account of any annuity, or benefit in lieu thereof. The annuity reserve shall be computed upon the basis of such mortality table and regular interest as the board shall from time to time adopt.

(18) Pension reserve means the present value of all payments to be made on account of any pension, or benefit in lieu thereof. The pension reserve shall be computed upon the basis of such mortality and other tables of experience, and regular interest, as the board shall from time to time adopt.

(19) WORKERS compensation period means the period a member, retirant, or beneficiary is in receipt of WORKERS compensation on account of a disability or death arising out of and in the course of a member's employment. If THE MEMBER, RETIRANT, OR BENEFICIARY is paid a single sum in lieu of future WORKERS compensation, THAT INDIVIDUAL'S WORKERS compensation period shall be the period, if any, THE INDIVIDUAL was in receipt of weekly WORKERS compensation plus the period arrived at by dividing the said single sum by THE weekly WORKERS compensation award.

Sec. 26-5. Same—Membership, terms of office.

(a) The board shall consist of eight (8) trustees, as follows:

(1) The mayor.

(2) A member of the city council to be selected by, and to serve at the pleasure of the city council.

(3) The city treasurer.

(4) The CHIEF personnel OFFICER.

(5) Three (3) members of the retirement system to be elected by the members of the system under such rules and regulations as may from time to time be adopted by the board; except that no more than one (1) such elected member shall be from any one (1) city department.

(6) The mayor shall appoint a citizen, who is a resident of the city, who is not an employee of the city and who is not eligible to receive benefits payable by the retirement system.

(b) The regular term of office for such elected member trustees and appointed citizen trustee shall be a period of four (4) years.

Sec. 26-6. Same—Filling vacancies.

In the event a member trustee or the appointed citizen trustee fails to attend three (3) consecutive meetings of the board, unless in each case excused for cause by the remaining trustees attending such meetings, or in the event a member trustee leaves the employ of the city, THE MEMBER TRUSTEE shall be considered to have resigned from the board and the board shall, by resolution, declare THE office of trustee vacated as of the date of adoption of such resolution. If a vacancy occurs in the office of trustee, the vacancy shall be filled within sixty (60) days from and after the date of the vacancy, for the unexpired portion of the term, in the same manner as the office was previously filled.

Sec. 26-7. Same—Oath of office.

Each trustee shall, within ten (10) days after appointment or election, take an oath of office to be administered by the city clerk.

Sec. 26-8. Same—Organization, rules of procedure, meetings.

The board shall elect from its own number a chair and a vice-chair. It shall adopt its own rules of procedure and shall keep a record of its proceedings. The board shall hold meetings regularly, at least one (1) in each month, and shall designate the time and place thereof. All meetings of the board shall be public.

Sec. 26-9. Same—Voting, quorum, majority for action.

(a) Each trustee shall be entitled to one (1) vote on each question in the meetings of the board.

(b) Five (5) trustees shall constitute a quorum at any meeting of the board.

(c) A majority of concurring votes shall be necessary for a decision by the trustees at any meeting of the board.

Sec. 26-10. Same—Compensation, secretary, employees, legal advisor.

(a) The trustees shall serve without additional compensation for their services as trustees.

(b) The director of finance shall be ex officio secretary of the board.

(c) The board may employ such professional and other services as shall be required. THE COMPENSATION FOR SUCH SERVICES SHALL BE FIXED BY THE BOARD.

(d) The city attorney shall be legal advisor to the board.

Sec. 26-14. Actuarial investigation.

At least once in each five (5) year period, the board

shall cause an actuarial investigation to be made into the mortality, service and other experiences of members, retirants and beneficiaries. On the basis of such actuarial investigation, the board shall adopt for the retirement system such mortality, service and other tables of experience as shall be necessary in the operation of the system on an actuarial basis; and shall adopt for the system a rate or rates of regular interest.

Sec. 26-18. Same—Rules governing.

(a) The board shall fix and determine, by appropriate rules and regulations consistent with the provisions of this chapter, the amount of service to be credited a member in any calendar year; but in no case shall less than ten (10) days of service rendered by THE MEMBER in any calendar month be credited as a month of service, nor shall less than eight (8) months of service rendered by THE MEMBER in any calendar year be credited as a year of service, nor shall more than one (1) year of service be credited any member for all service rendered by THE MEMBER in any calendar year.

(b) Credited service shall be forfeited and no longer in force in the event the individual's accumulated contributions are withdrawn from the employees savings fund and paid to the individual or a beneficiary (including an estate), except as provided in section 26-28.

(c) A member may have forfeited credit service restored to THE MEMBER'S account upon satisfaction of each of the following conditions:

(1) Membership recommences within four (4) years from and after the last date of termination of membership.

(2) The retirement system is paid the total amount of accumulated contributions previously withdrawn plus regular interest from the date(s) of withdrawal to the date(s) of repayment. Repayment shall be made in accordance with subsection (e) of section 26-34.

Sec. 26-19. Same—MILITARY service.

A member who, while employed by the city, DISTRICT COURT OR LANSING HOUSING COMMISSION entered or enters the military service of the United States government during time of war or any period of compulsory military service, shall have such military service credited in the same manner as if THE MEMBER had served the city, DISTRICT COURT OR LANSING HOUSING COMMISSION WITHOUT INTERRUPTION: Provided, that (1) THE MEMBER reenters the employ of the SAME EMPLOYER within one (1) year from the date of termination of the military service actually required of THE MEMBER, (2) THE MEMBER returns to the employees savings fund all amounts THE MEMBER might have withdrawn therefrom at the time THE MEMBER entered or while in such military service, together with regular interest thereon from the date of withdrawal to the date of repayment, and (3) in no case shall any member be credited with more than five (5) years of city service for all such military service rendered by THE MEMBER. In any case of doubt as to the amount of such military service to be credited any member, the board shall have final power to determine such amount. During a member's military service in the federal government and until THE MEMBER'S re-employment WITH THE SAME

EMPLOYER, THE MEMBER'S contributions into the employees savings fund shall be suspended and THE MEMBER'S balance therein shall be accumulated at regular interest.

Sec. 26-21. Retirement age and service requirements.

(A) EXCEPT AS PROVIDED IN SUBSECTION B OF THIS SECTION any member who either (1) has attained or attains age fifty-eight (58) years and has eight (8) or more years of credited service, or (2) has attained or attains age fifty-five (55) years and has twenty five (25) or more years of credited service, may retire upon his written application to the board setting forth at what time, neither less than thirty (30) days nor more than ninety (90) days, subsequent to the execution and filing thereof, THE MEMBER desires to be retired. Upon his retirement THE MEMBER shall receive a retirement allowance provided in Section 26-22.

(B) EFFECTIVE JUNE 30, 1987, A MEMBER WHO IS ASSOCIATED WITH THE F.O.P. PARK SECURITY DIVISION AND WHO EITHER (1) HAS ATTAINED OR ATTAINS AGE FIFTY EIGHT (58) YEARS AND HAS EIGHT (8) OR MORE YEARS OF CREDITED SERVICE, OR (2) HAS ATTAINED OR ATTAINS AGE FIFTY (50) AND HAS TWENTY FIVE (25) OR MORE YEARS OF CREDITED SERVICE, MAY RETIRE UPON WRITTEN APPLICATION TO THE BOARD SETTING FORTH AT WHAT TIME, NEITHER LESS THAN THIRTY (30) DAYS NOR MORE THAN NINETY (90) DAYS, SUBSEQUENT TO THE EXECUTION AND FILING THEREOF, THE MEMBER DESIRES TO BE RETIRED. UPON RETIREMENT THE MEMBER SHALL RECEIVE A RETIREMENT ALLOWANCE PROVIDED IN SECTION 26-22.

(C) Any member, except an elected official of the city, who has attained or attains age SEVENTY (70) years shall be separated from employment WITH THE CITY, LANSING HOUSING COMMISSION OR DISTRICT COURT the first day of the calendar month next succeeding the month in which THE MEMBER attains age SEVENTY (70) years. If, at the time of separation from employment WITH THE CITY, LANSING HOUSING COMMISSION OR DISTRICT COURT, the member has EIGHT (8) or more years of credited service THE MEMBER shall receive a retirement allowance provided for in Section 26-22.

Sec. 26-22. Age and service retirement allowances.

(a) Upon retirement a member shall receive a straight life retirement allowance and THE MEMBER shall have the right to elect to receive A retirement allowance under an option provided in section 26-27 in lieu of a straight life retirement allowance. The member's straight life retirement allowance shall consist of the benefits set forth below:

(1) An annuity which shall be the actuarial equivalent of THE MEMBER'S accumulated contributions standing to THE MEMBER'S credit in the employees savings fund at the time of retirement; and

(2) A pension which, when added to THE MEMBER'S annuity, shall provide a straight life retirement allowance equal to the number of years,

and fraction of a year, of THE MEMBER'S credited service multiplied by two per cent (2%) of THE MEMBER'S final average compensation.

(b) According to such rules and regulations as the board may from time to time adopt, any member who retires prior to THE MEMBER'S attainment of age sixty-five (65) years may elect to have THE MEMBER'S straight life retirement allowance actuarially equated to provide an increased retirement allowance payable to THE MEMBER'S attainment of age sixty-five (65) years and a reduced retirement allowance payable thereafter. THE MEMBER'S increased retirement allowance payable to THE MEMBER'S attainment of age sixty-five (65) years shall approximate the sum of THE MEMBER'S reduced retirement allowance payable after THE MEMBER'S attainment of age sixty-five (65) years and THE MEMBER'S estimated social security primary insurance amount.

(c) In the event a retirant dies before HAVING received in straight life retirement allowance payments an aggregate amount equal to THE MEMBER'S accumulated contributions standing to THE MEMBER'S credit in the employees savings fund at the time of THE MEMBER'S retirement, the difference between THE MEMBER'S accumulated contributions and the aggregate amount of straight life retirement allowance payments received by THE MEMBER shall be paid from the retirement reserve fund to such person as THE MEMBER shall have nominated by written designation duly executed and filed with the board. If there be no such designated person surviving the retirement SUCH DIFFERENCE if any, shall be paid to the retirant's legal representative. No benefits shall be paid under this subsection on account of the death of a retirant if THE MEMBER had elected option 1, or (A) or (B) provided in section 26-27.

Sec. 26-23. Same—Deferred retirement.

(a) Should any member who has eight (8) or more years of credited service separate from the employ of the city, DISTRICT COURT OR LANSING HOUSING COMMISSION, prior to THE MEMBER'S attainment of age fifty-eight (58) years, except THROUGH retirement, or death, THE MEMBER shall be entitled to a retirement allowance provided in section 26-22, as the section was in force at the time of THE MEMBER'S separation from employment WITH THE CITY, DISTRICT COURT OR LANSING HOUSING COMMISSION; provided, that THE MEMBER does not withdraw THE MEMBER'S accumulated contributions from the employees savings fund. THE MEMBER'S retirement allowance shall begin the first day of the calendar month next following the month in which THE MEMBER'S application for same is filed with the board on or after THE MEMBER'S attainment of age fifty-eight (58) years. During the period of THE MEMBER'S absence from employment WITH THE CITY, DISTRICT COURT OR LANSING HOUSING COMMISSION, regular interest shall be credited to THE MEMBER'S accumulated contributions standing to THE MEMBER'S credit in the employees savings fund.

(B) SHOULD ANY MEMBER WHO HAS EIGHT (8) OR MORE YEARS OF CREDITED SERVICE SEPARATE FROM THE EMPLOY OF THE CITY, DISTRICT COURT OR LANSING HOUSING

COMMISSION PRIOR TO THE ATTAINMENT OF AGE FIFTY-EIGHT (58) YEARS, EXCEPT THROUGH RETIREMENT OR DEATH, AND SHOULD THE MEMBER THEREAFTER DIE PRIOR TO ATTAINMENT OF AGE FIFTY-EIGHT (58) YEARS, THE DESIGNATED SURVIVING SPOUSE SHALL BE ENTITLED TO A RETIREMENT ALLOWANCE PROVIDED IN SECTION 26-27(A), AS THE SECTION WAS IN FORCE AT THE TIME OF THE MEMBER'S SEPARATION FROM EMPLOYMENT WITH THE CITY, DISTRICT COURT OR LANSING HOUSING COMMISSION, PROVIDED, THAT THE MEMBER DOES NOT WITHDRAW ANY ACCUMULATED CONTRIBUTIONS FROM THE EMPLOYEES SAVINGS FUND. THE DESIGNATED SURVIVING SPOUSES' RETIREMENT ALLOWANCE SHALL BEGIN THE FIRST DAY OF THE CALENDAR MONTH NEXT FOLLOWING THE MONTH IN WHICH THE DESIGNATED SURVIVING SPOUSE FILES AN APPLICATION FOR SAME WITH THE BOARD ON OR AFTER THE DECEASED FORMER MEMBER WOULD HAVE ATTAINED AGE FIFTY-EIGHT (58) YEARS. DURING THE DEFERRAL PERIOD, REGULAR INTEREST SHALL BE CREDITED TO THE DECEASED FORMER MEMBER'S ACCUMULATED CONTRIBUTIONS STANDING TO THE MEMBER'S CREDIT IN THE EMPLOYEES SAVINGS FUND.

(C) Any member who had five (5) or more years of credited service and was transferred from the employ of the city to the employ of Ingham County Health Department on July 1, 1947, shall remain a member during the period employed by the Ingham County Health Department. Whenever the sum of city credited service and Ingham County credited service equals at least ten (10) years THE MEMBER shall become entitled to a deferred retirement allowance computed according to section 26-22 upon the basis of THE MEMBER'S city credited service. In determining THE MEMBER'S final average compensation THE MEMBER'S compensations paid by Ingham County Health Department shall be treated as if they were paid by the city. THE retirement allowance shall begin the first day of the calendar month next following the month in which THE MEMBER'S application for same is filed with the board on or after (1) THE MEMBER'S attainment of age sixty (60) years, or (2) THE MEMBER'S retirement from county employment, whichever is later. In the event the member withdraws all or part of THE MEMBER'S accumulated contributions from the employees savings fund THAT INDIVIDUAL shall thereupon cease to be a member and shall forfeit all rights in and to a deferred retirement allowance provided for in this section.

Sec. 26-24. Total and permanent disability—Conditions.

(a) Upon the application of a member, or THE MEMBER'S department head, CHIEF DISTRICT JUDGE OR LANSING HOUSING COMMISSION DIRECTOR ON THE MEMBER'S behalf, a member who (1) is in the employ of the city, DISTRICT COURT OR LANSING HOUSING COMMISSION, (2) has ten (10) or more years of credited service, and (3) becomes totally and permanently incapacitated for duty in the employ of the city, DISTRICT COURT OR LANSING HOUSING COMMISSION by reason

of a personal injury or disease, may be retired by the board: provided, that (1) after a medical examination of the member made by or under the direction of the medical director, the medical director certifies to the board that the member is mentally or physically totally incapacitated for duty in the employ of the city, DISTRICT COURT OR LANSING HOUSING COMMISSION and that such incapacity will probably be permanent, and (2) the report of the medical director is concurred in by the board.

(b) The ten (10) year service requirement provided for in paragraph (a) of this section shall be waived for a member in the event (1) the board finds THE MEMBER is totally and permanently incapacitated for duty in the employ of the city, DISTRICT COURT, OR LANSING HOUSING COMMISSION, as the natural and proximate result of a personal injury or disease arising out of and in the course of THE actual performance of duty in the employ of the city, DISTRICT COURT OR LANSING HOUSING COMMISSION, and (2) THE MEMBER is in receipt of WORKERS compensation on account of THE MEMBER'S total and permanent incapacity occurring as the result of THE MEMBER'S employment WITH THE CITY, DISTRICT COURT OR LANSING HOUSING COMMISSION.

Sec. 26-25. Same—Computation of benefits—Non-duty disability.

If a member retires on account of total and permanent disability, as provided in section 26-24, and the board finds that THE MEMBER'S disability did not occur as the result of causes arising out of and in the course of THE MEMBER'S actual performance of duty in the employ of the city, DISTRICT COURT OR LANSING HOUSING COMMISSION, THE MEMBER shall receive a disability retirement allowance computed according to the provisions of section 26-22, exclusive of SUBSECTION (b). In no case shall THE MEMBER'S disability retirement allowance be less than fourteen per cent (14%) of THE MEMBER'S final average compensation. THE MEMBER'S disability retirement allowance shall be subject to sections 26-32, 26-33, and 26-33.1. Upon THE MEMBER'S retirement THE MEMBER shall have the right to elect to receive A retirement allowance under an option provided in section 26-27 in lieu of a straight life retirement allowance.

Sec. 26-26. Same—Computation of benefits—Duty disability.

If a member retires before attainment of age sixty (60) years on account of total and permanent disability, as provided in section 26-24, and the board finds that THE MEMBER'S disability is the natural and proximate result of causes arising out of and in the course of THE MEMBER'S actual performance of duty in the employ of the city, DISTRICT COURT OR LANSING HOUSING COMMISSION, THE MEMBER shall receive a disability retirement allowance computed according to section 26-22, exclusive of SUBSECTION (b). In computing THE MEMBER'S disability retirement allowance the credited service to be used shall be the sum of (1) THE MEMBER'S credited service in force at the date of retirement, and (2) the number of years, and fraction of a year, in the period from the date of THE MEMBER'S retirement to the date THE MEMBER

would attain age sixty (60) years. During THE WORKERS compensation period THE MEMBER'S disability retirement allowance shall not exceed the difference between THE MEMBER'S final compensation and WORKERS compensation converted to an annual basis. THE MEMBER'S disability retirement allowance shall be subject to sections 26-32, 26-33, and 26-33.1. Upon retirement THE MEMBER shall have the right to elect to receive A retirement allowance under an option provided in section 26-27 in lieu of a straight life retirement allowance. UPON THE ATTAINMENT OF AGE SIXTY (60) YEARS, THE RETIRANT SHALL BE REMOVED FROM DISABILITY RETIREMENT AND TRANSFERRED TO AGE AND SERVICE RETIREMENT AS PROVIDED IN SECTION 26-22.

Sec. 26-26.1. Increase in benefits.

The benefits calculated in sections 26-22, 26-25, and 26-26 shall be increased as per this section. Effective February 1, 1984, benefits for retirants and beneficiaries whose effective date of retirement is before November 4, 1979, shall receive an increase. This increase shall be calculated by this formula: one percent (1%) times the retirant's or beneficiary's benefit on February 1, 1984, times the number of full calendar years between the effective date of retirement and January 1, 1984.

Sec. 26-28. Death incurred in line of duty—Benefits.

(A) In the event (1) a member dies as the result of a personal injury or disease arising solely and exclusively out of and in the course of employment by the city, DISTRICT COURT OR LANSING HOUSING COMMISSION or (2) a disability retirant dies prior to attaining age sixty (60) years and within a period of three (3) years from and after THE disability retirement as the result of the same injury or disease for which THE MEMBER retired, and in either case THE death, injury or disease resulting in death, be found by the board to have occurred as the natural and proximate result of causes arising solely and exclusively out of and in the course of THE actual performance of duty in the employ of the city, DISTRICT COURT OR LANSING HOUSING COMMISSION, the applicable benefits provided in subsections (B), (C), (D) and (E) of this section shall be paid subject to the condition that WORKERS compensation is paid on account of the death of the member or retirant.

(B) Accumulated contributions. In the case of a deceased member, THE accumulated contributions standing to THE MEMBER'S credit in the employees savings fund at the time of death shall be paid in accordance with section 26-31.

(C) SURVIVING SPOUSE benefits. THE SURVIVING SPOUSE, if not remarried, shall receive a SURVIVING SPOUSES' pension equal to the SURVIVING SPOUSES' weekly WORKERS compensation converted to an annual basis. Such pension shall begin upon termination of the SURVIVING SPOUSE'S WORKERS compensation period and shall terminate upon remarriage or death, whichever occurs first. As used in this section the term SURVIVING SPOUSE means the person to whom the deceased member or retirant was married at the time of THE MEMBER'S employment with the city, DISTRICT COURT, OR LANSING HOUSING COMMISSION last terminated.

(D) Children's benefits. THE unmarried child or children under age twenty-one (21) years shall each receive a child's pension equal to the child's weekly WORKERS compensation converted to an annual basis. Such child's pension shall begin upon termination of the child's WORKERS compensation period and shall terminate upon THE attainment of age twenty-one (21) years, or death, or marriage, whichever comes first. Should the SURVIVING SPOUSE'S pension be terminated, as provided in subsection (C) of this section, and should an unmarried child or children under age twenty-one (21) years of the deceased member or retirant OUTLIVE the SURVIVING SPOUSE, each such child's pension shall be increased by an equal share of the SURVIVING SPOUSE'S pension.

(E) Dependent parents benefits. THE MEMBER'S parent or parents shall each receive a parent's pension equal to the parent's weekly WORKERS compensation converted to an annual basis. Such parent's pension shall begin upon termination of the parent's WORKERS compensation period and shall terminate upon remarriage or death, whichever occurs first.

Sec. 26-29. Non-duty death benefits—Election of option.

Any member who continues in the employ of the city, DISTRICT COURT OR LANSING HOUSING COMMISSION on or after the date THE MEMBER acquires EIGHT (8) years of credited service may, at any time prior to THE MEMBER'S retirement elect option A provided for in section 26-27, in the same manner as if THE MEMBER were then retiring from employment WITH THE CITY, DISTRICT COURT OR LANSING HOUSING COMMISSION, and nominate a beneficiary whom the board finds to be dependent upon the member for at least fifty per cent (50%) of THE MEMBER'S support due to lack of financial means. Prior to the effective date of retirement, a member may revoke THE MEMBER'S election of option A and nomination of beneficiary, and may again elect option A and nominate a beneficiary as provided in this section. Upon the death or marriage or remarriage of the said beneficiary prior to the effective date of the member's retirement THE election of option A and nomination of beneficiary shall be automatically revoked. Upon the death of a member who has an option A election in force, THE MEMBER'S beneficiary shall immediately receive a retirement allowance computed according to section 26-22, exclusive of SUBSECTION (b), in the same manner in all respects as if the member had retired under an option A election the date preceding the date of THE MEMBER'S death, notwithstanding that THE MEMBER might not have attained age FIFTY-EIGHT (58) years. If a member has an option A election and nomination of beneficiary in force at the time of retirement THE MEMBER'S election of option A and nomination of beneficiary shall thereafter continue in force; provided, however, that within sixty (60) days preceding the date of retirement THE MEMBER shall have the right to elect to take A retirement allowance as a straight life retirement allowance or under another option provided in section 26-27. No retirement allowance shall be paid under this section on account of the death of a member if any benefits are payable or are to be payable under section 26-28 on account of THE MEMBER'S death.

Sec. 26-30. Same—Option A provision.

Any member who continues in the employ of the city, DISTRICT COURT OR LANSING HOUSING COMMISSION on or after the date THE MEMBER acquires EIGHT (8) years of credited service, and does not have an option A election IN FORCE, as provided in section 26-29, and dies while in the employ of the city, DISTRICT COURT OR LANSING HOUSING COMMISSION, the SURVIVING SPOUSE shall immediately receive a retirement allowance computed according to section 26-22, exclusive of SUBSECTION (b) as if the said member had retired effective the day preceding the date of his death. No retirement allowance shall be paid under this section on account of the death of a member if any benefits are payable or are to be payable under Section 26-28 on account of THE MEMBER'S death.

Sec. 26-32. Re-examination of disability retirants.

At least once each year during the first five (5) years following the retirement of a member with a disability retirement allowance, and at least once in every three (3) year period thereafter the board may, OR upon THE DISABILITY RETIRANT'S application shall, require any disability retirant who has not attained age sixty (60) years, to undergo a medical examination to be made by or under the direction of the medical director. Should any such disability retirant refuse to submit to such medical examination in any such period, THE RETIRANT'S disability retirement allowance may be discontinued by the board until THE RETIRANT withdraws such refusal. Should such refusal continue for one (1) year all THE RETIRANT'S rights in and to a disability retirement allowance may be revoked by the board. If, upon such medical examination of a retirant, the medical director reports to the board, and SUCH report is concurred in by the board, that the retirant is physically able and capable of resuming employment with the city, DISTRICT COURT OR LANSING HOUSING COMMISSION, THE RETIRANT shall be re-employed by the city, DISTRICT COURT OR LANSING HOUSING COMMISSION and THE disability retirement allowance shall terminate. In re-employing the retirant reasonable latitude shall be allowed the city, DISTRICT COURT OR LANSING HOUSING COMMISSION in placing THE RETIRANT in a position commensurate to THE RETIRANT'S type of work and rate of compensation at the time of retirement.

Sec. 26-33. Same—Returning to employment.

A disability retirant who has been or shall be returned to the employ of the city, DISTRICT COURT OR LANSING HOUSING COMMISSION, as provided in section 26-32, shall from the date of THE RETIRANT'S return again become a member of the retirement system. THE MEMBER'S credited service in force at the time of DISABILITY retirement shall be restored to THE MEMBER'S credit. THE MEMBER shall be given service credit for the period THE MEMBER was receiving a disability retirement allowance provided for in this chapter if within such period THE MEMBER was in receipt of WORKERS compensation on account of total and permanent disability arising out of and in the course of employment WITH THE CITY, DISTRICT COURT OR THE LANSING HOUSING COMMISSION; other-

wise THE MEMBER shall not be given service credit for the period THE MEMBER was in receipt of a disability retirement allowance.

Sec. 26-33.1. Adjustment of disability retirement allowance.

(a) If a disability retirant becomes engaged in a gainful occupation, business, or employment, and the sum of pay or other remuneration from such occupation, business, or employment, and THE RETIRANT'S disability retirement allowance exceeds THE RETIRANT'S final compensation, the amount of THE RETIRANT'S disability retirement allowance shall be reduced to an amount which together with the amount so earned by THE DISABILITY RETIRANT shall equal, but not exceed, THE final compensation. For the purpose of this section only a retirant's final compensation shall be increased two percent (2%) for each completed calendar year THE MEMBER is in receipt of a disability retirement allowance. Should THE RETIRANT'S earnings be later changed THE disability retirement allowance shall be adjusted accordingly.

(b) Each disability retirant shall file with the board, at least annually, a statement of THE RETIRANT'S earnings on forms furnished by the board, together with such supporting data as may be requested by the board to establish a basis for determining earnings for operation of this section. The board may from time to time adopt rules and regulations for defining earnings for purposes of application of this section. Failure by a disability retirant to submit required information upon written request by the board may, in the discretion of the board, subject the disability retirant to suspension of retirement allowance payments.

Sec. 26-34. Employees savings fund.

(a) The employees savings fund is hereby created. It shall be the fund in which shall be accumulated, at regular interest, the contributions deducted from the compensations of members to provide their annuities; and from which shall be made transfers and refunds of accumulated contributions, as provided in this chapter.

(b) Until January 1, 1967, the contributions of a member to the retirement system shall be the sum of three per cent (3%) of the first forty-two hundred dollars (\$4,200.00) of annual compensation plus five per cent (5%) of the portion, if any, of THE annual compensation which is in excess of forty-two hundred dollars (\$4,200.00). From and after December 31, 1966, each member shall contribute to the retirement system three per cent (3%) of THE MEMBER'S annual compensation except as hereinafter provided:

(1) Effective for all pay periods ending on or after July 1, 1982, each of the following shall not contribute:

(a) A member who is a part-time or full-time elected official;

b. A member who is part of the executive PAY plan.

(2) Effective for all pay periods ending on or after July 1, 1982, and through all pay periods ending before July 1, 1983, each of the following shall con-

tribute one and five tenths per cent (1.5%) of THE MEMBER'S annual compensation.

a. A member who is unrepresented by a labor union and is not employed on a regular or permanent basis by either THE District Court and is not employed by the Lansing Housing Commission and is not described in (1) above;

b. Any member who is represented by a union which has entered into a collective bargaining agreement providing for the contribution of no more than one and five-tenths per cent (1.5%) of each member's annual compensation to the employees savings fund.

(3) Effective for all pay periods ending on or after July 1, 1983, each of the following shall not contribute:

a. A member who is unrepresented by a labor union and is not employed on a regular or permanent basis by THE District Court OR LANSING HOUSING COMMISSION and is not described in (1) above:

b. Any member who is represented by a union which has entered into a collective bargaining agreement which does not provide for its members to make any contribution to the employees savings fund.

(c.) The director of finance or other officer responsible for making the payroll shall cause the contributions provided in subsection (b) of this section to be deducted from the compensation of each member on each and every payroll, for each and every payroll period, so long as the member remains employed by the city, DISTRICT COURT OR LANSING HOUSING COMMISSION.

(d.) The contributions provided for herein shall be made notwithstanding that the minimum compensation provided by law for any member shall be changed thereby. Every member shall be deemed to consent and agree to the deductions made and provided herein. Payment of THE MEMBER'S compensation less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by such person during the period covered by such payments, except as to the benefits provided under this chapter. When deducted, the contributions of each member shall be paid to the retirement system and shall be credited to THE MEMBER'S individual account in the employees saving fund.

(e.) In addition to the contributions deducted from the compensation of a member as hereinbefore provided, a member shall, in order to qualify for prior service credit, deposit in the employees savings funds, by a single payment or by an increased rate of contribution as determined by the board, the accumulated contributions, if any, THE MEMBER withdrew therefrom, together with regular interest from the date of withdrawal to the date of repayment. Repayment shall be made in accordance with the rules the board shall from time to time determine. The rules shall not require full repayment prior to the date which is one (1) year following the date of renewed membership nor shall the rules permit full repayment to extend beyond the date which is four (4) years following the date of renewed membership or following the effective date of this amendment, whichever is later. If a member dies prior to completion of repayment and leaves a spouse, the spouse may pay the balance due within sixty (60) days of THE MEMBER'S death. In no case shall any member be given credit for service

rendered prior to the date THE MEMBER withdrew THE accumulated contributions until THE MEMBER repays to the employees savings fund all amounts due such fund by THE MEMBER.

f. Upon the retirement of a member THE MEMBER'S accumulated contributions shall be transferred from the employees savings fund to the retirement reserve fund. At the expiration of a period of five (5) years from and after the date an employee ceases to be a member any balance standing to THE MEMBER'S credit in the employees savings fund, unclaimed by such member or THE MEMBER'S legal representative, shall remain a part of the MONIES of the retirement system, if no retirement allowance will become payable under this chapter on account of THE MEMBER'S employment WITH THE CITY, DISTRICT COURT OR THE LANSING HOUSING COMMISSION.

Sec. 26-35. Same—Retirement reserve fund.

The retirement reserve fund is hereby created. It shall be the fund from which shall be paid all annuities and pension payable as provided in this chapter. Should a disability retirant return to the employ of the city, THE DISTRICT COURT OR LANSING HOUSING COMMISSION, THE DISABILITY RETIRANT'S annuity reserve computed as of the date of THE MEMBER'S return shall be transferred from the retirement reserve fund to the employees savings fund and shall be credited to THE MEMBER'S individual account therein; and THE MEMBER'S pension reserve at that time shall be transferred to the pension accumulation fund.

Sec. 26-36. Same—Pension accumulation fund.

a. The pension accumulation fund is hereby created. It shall be the fund in which shall be accumulated reserves for the payment of pensions and other benefits payable from contributions made by the city. Upon the basis of such mortality and other tables of experience, and regular interest, as the board shall from time to time adopt, the actuary shall annually compute the annuity and pension reserves (1) for annuities and pensions being paid retirants and beneficiaries, and (2) covering service rendered and to be rendered by members. The portion of the annuity and pension reserves not financed by members' contributions shall be financed by annual appropriations, to be made by the council, determined according to subsections (1), (2) and (3) below:

(1) The appropriations for members' current service shall be a PERCENTAGE of their annual compensations which will produce an amount which, if paid annually by the city during their future service, will be sufficient to provide the reserves, at the time of THE MEMBERS' retirements, for the pension portions of the retirement allowances to be paid them based upon their future service.

(2) The appropriations for members' accrued service shall be a PERCENTAGE of their annual compensations which will produce an amount, to be determined by the board WHICH, IF PAID ANNUALLY BY THE CITY OVER A PERIOD OF YEARS will amortize, at regular interest, the unfunded annuity and pension reserves, if any, for the accrued service portions of the retirement allowances to which THE MEMBERS might be entitled.

(3) The appropriations for pensions and retirement allowances being paid retirants and beneficiaries shall be a PERCENTAGE of the annual compensations of members which will produce an amount to be determined by the board WHICH, IF PAID ANNUALLY BY THE CITY OVER A PERIOD OF YEARS will amortize, at regular interest, the unfunded annuity and pension reserves, if any, for pensions and retirement allowances being paid retirants and beneficiaries.

(b) Upon the retirement of a member, or at the time a pension becomes payable to a beneficiary on account of the death of a member, the pension reserve for such pension shall be transferred from the pension accumulation fund to the retirement reserve fund. The board may, from time to time, transfer from the pension accumulation fund to the retirement reserve fund such additional amounts as are necessary to satisfy the actuarial requirements of the retirement reserve fund.

Sec. 26-38. Same—Administrative AND INVESTMENT expenses of system.

The administrative expenses of the retirement system shall be paid by the city from its general fund, EXCEPT INsofar AS THEY ARE RELATED TO INVESTMENT OF FUND ASSETS, IN WHICH CASE INVESTMENT EXPENSES SHALL BE PAID FROM INVESTMENT PROCEEDS. EXPENSES RELATED TO INVESTMENT OF FUND ASSETS SHALL INCLUDE BUT NOT BE LIMITED TO FEES FOR SERVICES OF OUTSIDE INVESTMENT MANAGERS, BANK CUSTODIANS AND INVESTMENT PERFORMANCE EVALUATORS.

Sec. 26-39. Same—Appropriations.

The board shall certify the amounts of appropriations necessary to pay into the various funds of the retirement system, as enumerated in this chapter according to legal budget procedure.

Sec. 26-40. Same—Use of funds.

All funds of the retirement system shall be held for the sole purpose of meeting disbursements for pensions, retirement allowances and other payments authorized by this chapter and shall be used for no other purpose. The crediting of MONIES to the various funds of the system shall be interpreted to refer to accounting procedures and not to the actual segregation of MONIES in the various funds of the system.

Sec. 26-41. Management of retirement system assets—Powers of board.

The board shall be the trustees of the assets of the retirement system and shall have full power to invest and reinvest such assets subject to Act No. 314 of the Public Acts of 1965, as amended, and as the same might from time to time be amended. The board shall have full power to hold, purchase, sell, assign, transfer and dispose of any securities in which any of the MONIES of the system have been invested, as well as the proceeds of said investments and any MONIES belonging to the system. The board shall have the power to purchase notes, bonds, or other obligations

of the city before or after the same are offered to the public and with or without advertising for bids.

Sec. 26-42. Same—No trustee, OFFICER OR EMPLOYEE shall gain from system's investments.

Except as otherwise provided in this chapter, no trustee or officer or employee of the retirement system shall have any interest direct or indirect in the gains or profits from any investments made by the board. No such person directly or indirectly, for himself or as an agent or partner of others, shall borrow any of the MONIES or deposits of the system or in any manner use the same except to make such current and necessary payments as are authorized by the board. No such person shall become an endorser or surety or become in any manner an obligor for any MONIES loaned by or borrowed from the system.

Sec. 26-44. Same—Custodian of funds.

The city treasurer shall be custodian of the funds of the retirement system. All payments from such funds shall be made according to charter provisions only upon regular city vouchers signed by two (2) persons designated by the board. No voucher shall be drawn unless it shall have been previously authorized by a specific or continuing resolution adopted by the board.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

This ordinance being necessary for the immediate preservation for the public peace, health of safety shall take effect upon its passage.

Carried.

By COUNCILMEMBERS WORTHINGTON,
SCHMIDT AND CREAMER—

RESOLUTION #0471

Resolved by the City Council of the City of Lansing:

Whereas, on August 26th, 1985, Lansing City Council unanimously adopted a resolution to submit to voters on November 5, 1985 a proposal which reads as follows:

FORM OF BALLOT

SHALL SECTION 26-23 SUBPARAGRAPH (C) OF THE GENERAL EMPLOYEES' RETIREMENT SYSTEM OF THE CITY OF LANSING BE REPEALED?

(C) If any member who has eight (8) or more years of credited service, and who either was a member of the executive pay plan of the City on February 15, 1985, or was a member of council or internal audit staff as of February 15, 1985, separates from

the employ of the City prior to obtaining the age requirements set forth in section 26-21(A), that member shall be entitled to receive upon that member's date of separation the regular age and service retirement allowance provided for in section 26-22.

() YES () NO

Whereas, subsequent to its August 26, 1985 action, Council has been advised by outside legal counsel that Ordinance 702 which Council acted on on June 24, 1985 and which the aforementioned Section 26-23(c) is a part of is void ab initio; and

Whereas, in addition, Council has voted to repeal in its entirety the Ordinance 702 which Council took action on on June 24, 1985 and of which the aforementioned Section 26-23(c) is a part and

Whereas, Council desires to avoid any expenses to taxpayers which will be incurred by placement of this issue on the November 5, 1985 General Election ballot; now, therefore,

BE IT RESOLVED that the Lansing City Council hereby officially rescinds its resolution of August 26, 1985 which directs the City Clerk to place the proposal regarding the aforementioned Section 26-23(c) of Ordinance NO. 702 on the November 5, 1985 General Election ballot.

By COUNCILMEMBER ADADO—

That this resolution be amended as follows: That in the fourth (4th) paragraph after the word "WHEREAS" insert the following wording "over 4000 registered voters in the City of Lansing expressed their desire to put this question on the ballot and whereas the Council has repealed ordinance #702 as adopted on June 24, 1985"

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

By COUNCILMAN ADADO—

RESOLUTION #0472

Resolved by the City Council of the City of Lansing:

WHEREAS, the City Council of the City of Lansing has repealed Section 26-23 subparagraph (c) from the General Employees Retirement System ordinance; and

WHEREAS, the City Council by resolution has removed this issue from the November 5th 1985 General Election ballot; and

WHEREAS, had a majority of the electorate supported the referendum to repeal Section 26-23(c), City Council would have been prohibited by law from enacting similar legislation for a period of at least two years; and

WHEREAS, repeal of Section 26-23(c) carries no such legal prohibition;

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Lansing hereby indicates its

good faith intent not to enact any legislation similar to Section 26-23(c) of Ordinance 702 as set forth in the Council proceedings of June 24, 1985.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBERS BENAVIDES, LINDEMANN AND ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letters from Mrs. Kenneth A. Ruff, 814 Bates St., commending Jason Valas, a member of Gier park Safety Patrol, and requesting sidewalk to be built in front of the Gier Park School.

Referred to the Committee on Public Properties and Safety.

Claim filed by Mrs. Goldie Hart, 731 Cawood Street, for reimbursement of ambulance fee paid to Lansing Mercy Ambulance for an emergency run after calling "911".

By COUNCILMEMBER ADADO—

I move that we pay claim for Mrs. Goldie L. Hart and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of \$130.00 payable to Goldie Hart, 731 Cawood St.

Carried.

Claim filed by Sharon Bridgewater, 1321 Illinois Ave., for damage to right wheel on automobile from driving into an unmarked manhole on E. Michigan Avenue.

Referred to the City Attorney.

REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

Convention/Exhibition Hall construction on schedule.

Sandblasting and painting of pedestrian overpasses are being done.

Work on pump stations almost finished.

Interceptor sewer work and drain update.

Street closings announced for the coming week.

REMARKS BY THE CITY COUNCIL

Councilmember Lindemann announced the October 2nd meeting of the Eastside Neighborhood group for "Meet the Candidates Night."

Councilmember Benavides asked that residents be

informed of special projects regarding sewage improvements and streets being closed.

Councilmember Schmidt announced the North School Fall Festival.

Councilmember Adado remarked about the sand being left in the neighborhoods from the sandblasting of pedestrian skywalks.

Vivian Preston, 1516 W. Allegan St., thanked City Council for their solution to the problems of the Retirement Ordinance.

David Welch, 1122 Hammond St., talked of the traffic problem from William St. to Saginaw on Logan St. and no left turns being allowed.

Mr. Kenneth Ruff, 816 Bates St., spoke regarding recognition for Safety Patrol at Gier Park School.

Ruby White thanked City Council for their vote on the highly complex and sensitive issue of the Retirement Ordinance.

By COUNCILMEMBER CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:00 P.M.

RITA M. BAUMAN,
City Clerk.

September 30, 1985
Lansing, Michigan

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

Proceedings, October 7, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

October 7, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Belen.

Pledge of Allegiance.

By COUNCILMEMBER SCHMIDT—

That the council proceedings of August 11, 19, 26 and September 3, and 9, 1985 be approved.

Carried.

William Brenke, former 2nd Ward Councilmember spoke in regard to salmon run at the Brenke Fish Ladder.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Resolution 3c and 3d were pulled from the agenda.

Richard H. Jrery, President of Spartan Cab Co., spoke on Communication #8.

K. P. Pelleron, representing Senator Carl Levin's office, spoke in regard to American Energy Awareness Week, October 20-26, 1985.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been received for licenses:

Public Driver—Dennis L. Saxton.

Referred to the Committee on General Services.

Claims filed by:

a. John E. and Jacquelyn V. Lockhart, 3720 Glasgow, for compensation of damages due to flooding of basement from sewer system.

b. Sharon Carpenter, 5910 Hilliard Rd., for damages due to basement being flooded with sewerage water.

c. Irene Rivers, 1123 W. Washtenaw St., for damages to automobile by sliding metal plate across street at construction site on Capital Ave. at Kalamazoo St.

d. Lansing Mercy Ambulance Service, Inc. submits claim for services performed due to order or Probate Court.

Referred to the Mayor and City Attorney.

Petition for rezoning—Z-28-85 6841 S. Cedar St., described as Lot 106, Just-a-mere Farm as No. 1, to be rezoned from "J" Parking District to "F" Commercial District filed by Robert D. Wicker.

Referred to the Mayor and Planning Board.

River Forest Neighborhood Association submits letter of thanks to all who improved programming of Channel 28 on Continental Cablevision.

Received and placed on file with copy to Ron Onufer.

County Commissioner Jean Tubbs submits letter of thanks for support of the Diagnostic Conference on Adolescent Pregnancy at the Lansing Civic Center.

Received and placed on file.

Application for Commercial Redevelopment District for Medical Arts Building, 1322 E. Michigan Ave., filed by Walter Neller Enterprises, Inc.

Referred to the Mayor and Committee on Economic Development.

Lansing Regional Chamber of Commerce requests

reprinting of brochure "Lansing, Michigan, The Home Town".

Referred to the Committee on Ways and Means.

Richard H. Jury, President of The Spartan Cab Co., submits letter requesting licensing of Taxicab Co.

Referred to the Committee on General Services.

Touche, Ross and Co. submits copy of Report of Examination of financial statements and additional information for audit of the Board of Water and Light for year ended June 30, 1985.

Received and placed on file.

Letter from Senator Carl Levin regarding American Energy Awareness Week, October 20-26, 1985.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Presented Proclamation—"National 4-H Week"

Mayor's letters B1, 2, 3, and 4 regarding Board Appointments—(Civic Center—Lee W. Hendrickson; Human Resources—Clyde Carnegie; Board of Zoning Appeals—Christopher J. Steele; Demolition Board—Donald Hartwick).

PROCLAMATION

Whereas, the Ingham County 4-H Youth Program began in 1926 and centered around rural activities; and

Whereas, The Ingham County 4-H is a growing and dynamic program, having 1,915 youth contributing to the 6,000 entries in the 1985 Fair; and

Whereas, 4-H Clubs are involved in a variety of projects including career education, foods and nutrition, livestock, crafts, clowning, and many more; and

Whereas, We all greatly benefit from this organization's enthusiasm for making our community a better place in which to live; and

Whereas, This year's national theme, "4-H For Youth For America", epitomizes the practical skills that 4-H'ers can acquire: earning respect for themselves and others; exploring career and leisure time activities; and becoming actively involved as citizens in their communities, the nation, and the world.

Now, Therefore, I, Terry J. McKane, Mayor of the City of Lansing, by the power vested in me, do hereby proclaim October 6-12, 1985, as:

"NATIONAL 4-H WEEK"

In Lansing, and urge all citizens to join with me in commending this organization and its participants for their outstanding community service and dedication to the advancement of unique talent.

Given under my hand and the Seal of the City of Lansing this eighteenth day of September in the year

of Our Lord one thousand nine hundred and eighty-five.

TERRY J. MCKANE,
Mayor.

REPORT OF COMMITTEE

The COMMITTEE ON GENERAL SERVICES—

Approves the following Licenses and Bonds:

Public Driver—Dennis L. Saxton.

Signed:

SIDNEY WORTHINGTON
ALFREDA SCHMIDT
CHARLES CREAMER
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON WAYS AND MEANS—

To whom was referred the detailed listing of the City of Lansing outstanding encumbrances at June 30, 1985, as presented by the City Controller reports as follows:

That sufficient funds be carried forward in the accounts identified for the payment of these outstanding encumbrances.

Signed:

JAMES BLAIR
PATRICK LINDEMANN
TONY BENAVIDES
Committee on Ways and Means

By COUNCILMAN BLAIR—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT—

To whom was referred the rezoning petitions:

Z-18-85—3121 South Cedar Street to be rezoned from "J" Parking and "F" Commercial Districts to "F" Commercial District.

Z-20-85—1626-1628 South Cedar Street to be rezoned from "C" Residential District to "F" Commercial District

Reports as follows: that said rezonings be approved.

Signed:

LUCILE BELEN
CHARLES CREAMER
TONY BENAVIDES
Committee on Physical Development

By COUNCILMAN BELEN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

October 3, 1985

President Charles Creamer and
Members of the Lansing City Council

Dear Councilmembers:

Attached herewith are copies of signed approval for location for license to be put into escrow for Vincent Malcangi of licensed 1985 Class C business located at 1203 S. Washington Ave.

The attached correspondence is submitted with my approval for your concurrence.

Most sincerely,

RITA M. BAUMAN,
City Clerk.

By COUNCILMEMBER BENAVIDES—

That we hereby approve the location only for transfer into escrow the licensed 1985 Class C Business located at 1203 S. Washington Ave. inasmuch as signatures of all departments have been obtained.

Carried.

October 2, 1985

Mayor Terry McKane
Council President Charles Creamer,
and Members of the Lansing City Council

Dear Mayor McKane, and City Council Members:

At a regular meeting of the Economic Development Corporation Board of Directors held on September 4, 1985, the Board of Directors approved the Resolution of Inducement, and Intent to Issue Revenue Bonds, To Proceed with a Project, and To Appoint Bond Counsel for the Accident Fund EDC Project. Also approved was the Resolution Designating Project Area, Recommending Project District Area and Requesting Appointment of Additional Directors for the Accident Fund EDC Project.

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to the Committee on Economic Development.

October 3, 1985

Mayor Terry McKane and
Council President Charles Creamer

Dear Mayor McKane and President Creamer:

The Economic Development Corporation has reviewed the enclosed Project Plan for the Snell En-

vironmental Group, Inc. project, and finds that the Plan meets all requirements set forth in state statute. The EDC consequently requests that the City Council proceed with the approval of the project plan by scheduling a public hearing to allow comment on the project.

Feel free to contact me if I can be of service.

Sincerely yours,

EMERSON OHL,
Executive Director

Referred to the Committee on Economic Development.

October 2, 1985

City Council President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and City Councilmembers:

I herewith submit to you for your consideration and confirmation the appointment of Lee W. Hendrickson to the At Large position of the Civic Center Board. The term will expire in June, 1986.

Mr. Hendrickson resides at 610 Kendon Dr. and is employed as a Senior Audit Manager with Ernst & Whinney. He is actively involved in several civic organizations and his willingness to work with people for better local government will be of benefit to the people and the City of Lansing.

I trust you will give careful consideration to the appointment of Lee W. Hendrickson to this important Board.

Best personal regards,

Sincerely,

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

October 2, 1985

City Council President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and City Councilmembers:

I herewith submit to you for your consideration and confirmation the appointment of Clyde Carnegie to the At Large position of the Human Resources Board. The term will expire in June, 1986.

Mr. Carnegie resides at 1616 W. Michigan Ave., he is employed as Principal at Sexton High School and he is actively involved in several civic organizations.

I trust you will give careful consideration to the appointment of Clyde Carnegie to this important Board.

Best personal regards,

Sincerely,

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Human Services.

October 2, 1985

City Council President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and City Councilmembers:

I herewith submit to you for your consideration and confirmation the appointment of Christopher J. Steele to the Board of Zoning Appeals. The term will expire in June, 1988.

Mr. Steele resides at 1118 N. Walnut and is employed as a landscape contractor and economic development consultant. He is actively involved in several civic and neighborhood organizations.

I trust you will give careful consideration to the appointment of Christopher J. Steele to this important Board.

Best personal regards,

Sincerely,

TERRY J. McKANE,
Mayor.

Referred to the Committee on Physical Development.

October 2, 1985

City Council President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and City Councilmembers:

I herewith submit to you for your consideration and confirmation the appointment of Donald Hartwick to the Demolition Board. There is no expiration date for members of this board.

Mr. Harwick resides at 1818 Marquette and is a self-employed architect with Rother & Hartwick Architects & Planners since 1974. He is presently Director of Lansing Waverly Rotary Club and a former Vice President in Lansing Jaycees.

I trust you will give careful consideration to the appointment of Donald Hartwick to this important Board.

Best personal regards,

Sincerely,

TERRY J. McKANE,
Mayor.

Referred to the Committee on General Services.

DATE: 10/3/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Friends of the Zoo Society

RE: 1986-87 Equity Funds Request

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor.

Received and placed on file.

DATE: 10/1/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Lansing Park Board and Director of Parks &
Recreation

RE: Recommendations regarding Development of
1986-87 Operating Budget

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor.

Referred to the Committee of the Whole.

DATE: 10/3/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning & Municipal Devel. Dept.

RE: Trash Assessment for U-29 December 1985 Tax
Roll \$5,821.50

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER LINDEMANN—

That we concur in the recommendation of the Mayor and the Trash assessment in the amount of \$5,821.50 be placed on the U-29 December 1985 Tax Roll.

Carried.

RESOLUTIONS

RESOLUTION #0473

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, by petition filed on September, 13, 1985 by the Cameron Tool Company and the Martin Electric Company this Council was petitioned to amend Lansing Industrial Development Districts IPR-4-78 and IPR-1-82 previously established, pursuant to Public Act 198 of 1974; and

Whereas, due notice has been given for a public hearing on said petition; and

Whereas, at such hearing held at the 30th day of September 1985, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is located at 1800 and 1818 Bassett Street, more particularly described as:

The north 132 feet of Lots 27 and 28 and the north 132 feet of the west 27.7 feet of Lot 29, Assessor's Plat No. 11 on the northwest ¼ of Section 8, T4N, R2W, City of Lansing, Ingham County, Michigan.

The north 132 feet of the west ½ of Lot 30, and the north 132 feet of the east 9.3 feet of Lot 29; Assessor's Plat No. 11, City of Lansing, Ingham County, Michigan.

Lot 31, except the east 163 feet; Assessor's Plat No. 11, City of Lansing, Ingham County, Michigan.

Lot 32, except the east 164.5 feet, Assessor's Plat No. 11, City of Lansing, Ingham County, Michigan.

Lot 33, except the east 164.5 feet, Assessor's Plat No. 11, City of Lansing, Ingham County, Michigan.

Lot 34, except the east 164.5 feet, Assessor's Plat No. 11, City of Lansing, Ingham County, Michigan.

Lots 1 through 9, Outlots A and B, vacated Shirann Street, and to be vacated Owens Street adjoining Lots 6 through 9 and Outlots A and B; all in Shirann Subdivision, City of Lansing, Ingham County, Michigan.

Whereas, this Council finds that this property is zoned for industrial uses and otherwise meets the requirements of P.A. 198 of 1984 and this Council's policies.

Now, Therefore Be It Resolved that the Council of the City of Lansing hereby amends the Lansing Industrial Development District to include all the above described property.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE— RESOLUTION #0474

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on August 23, 1985, Inter State Foods, Inc. requested that the City of Lansing establish a Lansing Plant Rehabilitation District IPR-5-85 pursuant to Act 198, 1974, on property located at 130 to 210 North Larch Street; and

Whereas, due notice has been given for a public hearing on the proposed establishment of said District; and

Whereas, at such hearing held on the 30th day of September 1985, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is located at 130 to 210 North Larch Street, more particularly described as:

Being that part of Lot 40, Assessor's plat No. 36

of Block 243, original Plat on E ½ of NE ¼, Sec. 16, T4N, R2W, City of Lansing, Ingham County, Michigan described as: Beginning at the SW corner of said Lot 40; thence north along the west line of said Lot 40, 97.6 feet; thence easterly to a point on the west line of said Lot 40 distant north 98.6 from the SE corner of said Lot 40; thence south 98. feet along said east line to the SE corner of said Lot 40; thence west 82.5 feet along the south line of said Lot 40 to the point of beginning, according to the plat recorded in Liber 11, Page 18, Ingham County, Michigan Records; containing 7,657 square feet, more or less. and Lots Nine (9), Ten (10), Eleven (11). Twelve (12), Thirteen (13), Thirty-Seven (37) and the North fifty two and a quarter feet (52.25) of Lot Thirty-six (36), Assessor's Plat No. Thirty-six (36) to the City of Lansing, according to the recorded plat thereof.

and Being Lot 35 Assessor's Plat No. 36 of block 243, Original Plat on E ½ of NE ¼, Sec. 16, T4N, R2W, City of Lansing, Ingham County, Michigan, according to the plat recorded in Liber 11, Page 18, Ingham County Records; containing 9,738 square feet, more or less. and Lots 14, 15 and 34; also Lot 36 except the North 52.25 feet, also Lot 33, except commencing at the Southwest corner of Lot 33, thence East to the Southeast corner of Lot 33, thence North of the East line of Lot 33 183.5 feet, thence West 139.54 feet, thence North 15.1 feet to the Southeast corner of Lot 15, thence West 32.5 feet to the Northeast corner of Lot 16, thence South to the point of beginning; Assessor's Plat No. 36 of Block 243, Original Plat, City of Lansing, Ingham County, Michigan.

and Commencing in the West line of Lot 33, Assessor's Plat No. 36, of Block 243, original plat, on the East ½ of the Northeast quarter of Section 16, T4N, R2W, City of Lansing, Ingham County, Michigan, at a point 103.58 feet North of the Southwest corner of said Lot 33, thence East 172.04 feet to a point 104.10 feet North of the South line of said Lot 33, thence North 79.40 feet, thence West 139.54 feet, thence North 15.1 feet, thence West 32.5 feet to the West line of said Lot 33, thence South 94.35 feet to the point of beginning, together with all appurtenant easements and rights of way.

Whereas, This Council finds that this property is zoned for industrial uses and otherwise meets the requirements of P.A. 198 of 1984 and this Council's policies.

Now, Therefore, Be It Resolved that Council of the City of Lansing hereby establishes a Lansing Plant Rehabilitation District IPR-5-85 on the above described property.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE— RESOLUTION #0475

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on August 15, 1985 this Council was petitioned by the Accident Fund of Michigan to establish a Lansing Commercial

Redevelopment District CRD-9-85, pursuant to Public Act 255 of 1978; and

Whereas, due notice has been given for a public hearing on said petition; and

Whereas, at such hearing held on the 30th day of September, 1985, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is located at 218 to 232 south Capitol Avenue, Lansing, Michigan, more particularly described as:

A parcel of land located in the City of Lansing, Ingham County, State of Michigan: That part of Block 117 of the Original Plat of the City of Lansing, according to the recorded plat thereof, described as: Beginning at the Southwest corner of Block 117, then West 269.8' feet, thence North 82.5 feet; thence East 22.3 feet, thence N 49.5 feet; thence East 82.50; thence North 66 feet; thence East 165.0; thence South 198.0 feet to place of beginning.

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for commercial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity.

Now, Therefore, Be It Resolved the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-9-85 on the above described property.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER ADADO—

That we substitute this resolution for the one in the packet.

Carried.

By COMMITTEE ON ECONOMIC DEVELOPMENT—

RESOLUTION #0476

RESOLUTION APPROVING PROJECT AREA ESTABLISHING PROJECT DISTRICT AREA (Accident Fund Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan held at 7:00 o'clock p.m., Michigan Time, on October 7, 1985, at which the following members were present:

Councilman Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, and Worthington, and the following were absent: Councilman Blair.

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Belen:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to

alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services, and facilities to the City of Lansing and its residents, to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

Whereas, the Act provides a mean by which these needs may be addressed; and

Whereas, Accident Fund of Michigan, a membership organization/mutual insurance company, has proposed a project (the "Project") to The Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions; and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and Project District Area for the Project to this City Council for its approval thereof.

Now, Therefore, Be it hereby resolved by the City Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer is hereby certified and approved:

A parcel of land situated and being in the NW ¼ of Section 32, Mt. Morris Township, Genesee County, Michigan and more particularly described as beginning at a point which is East 1164.98; and SO1°-24'-25" E., 371.86 feet from the NW corner of said Section 32.; thence SO1°-24'-25" E., 288.14 feet; thence East 174.97 feet; thence NO1°-24'-25" W., 288.14 feet; thence West 174.97 feet to the point of beginning. Said parcel to contain 1.2 acres more or less and subject to all easements, reservations, and restrictions of record which includes the Southerly 30' of the described parcel for the use of the Genesee County Drain Commission as the Pierson Rd. Branch of the Hartshorn Drain.

2. The territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area having the same description as the approved Project Area is hereby established.

3. Pursuant to Section 20(e) of the Act, a Project Citizens District Council is not required for the Project, and, therefore, a Project Citizens District Council shall not be formed.

4. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

Yeas—Councilman Adado, Belen, Benavides, Creamer, Lindemann Schmidt and Worthington—8.

Nays—None.

Abstentions—None.

Resolution declared adopted.

STATE OF MICHIGAN)
) SS.
COUNTY OF INGHAM)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting

of the City Council of the City of Lansing, Michigan, held on the 7th day of October, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

RITA M. BAUMAN,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

NOTICE OF PUBLIC HEARING

PROJECT PLAN FOR THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING, SNELL ENVIRONMENTAL GROUP, INC. PROJECT AND ISSUANCE OF LIMITED OBLIGATION REVENUE BONDS

Notice is hereby given that the City Council of the City of Lansing will hold a public hearing at 7 o'clock, p.m., in the City Council Chambers, 10th Floor, City Hall, Lansing, Michigan, on the 28th day of October, 1985, on a Project Plan prepared by the Economic Development Corporation of the City of Lansing for its Snell Environmental Group, Inc. Project (the "Project"). The Project is to be initially owned, operated and managed by the undertaken for the benefit of Snell Environmental Group, Inc., a Michigan corporation.

The Project consists of the acquisition, renovation and equipping of an existing building, the construction of an addition thereto and the acquisition of the site therefor, for use as offices and as a laboratory, to be located at 1120 May Street, City of Lansing, County of Ingham, Michigan.

The location of the Project Area and the Project District Area is relation to highways, streets, streams or otherwise is indicated in the Project Plan.

Maps, plats, and a description of the proposed Project Plan, including the method of relocating families and individuals who will be displaced from the area, if any, are available for public inspection at the office of The Economic Development Corporation of the City of Lansing, located on the 9th Floor, City Hall, Lansing, Michigan. All aspects of the proposed Project Plan will be open for discussion at the public hearing, including the proposed issuance of limited obligation revenue bonds in the maximum principal amount of \$1,200,000 by The Economic Development Corporation of the City of Lansing to assist in financing the Project. The Project Plan contains further information about the issuance of such bonds and the financial parameters of the proposed bond issue.

The City Council will consider the approval of (i) the Project Plan and (ii) the proposed bond issue only after the public hearing as been completed.

The City Council of the City of Lansing shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the proposed Project Plan and the proposed bond issue.

RITA M. BAUMAN,
City Clerk.

RESOLUTION SETTING HEARING DATE

RESOLUTION #0477

(Snell Environmental Group, Inc. Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan held at 7:00 o'clock p.m., Michigan Time, on October 7, 1985, at which the following members were present:

Councilman Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, and Worthington, and the following were absent: Councilman Blair.

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Belen:

Whereas, this City Council has heretofore approved a Project Area and established a Project District Area for the Snell Environmental Group, Inc. Project (the "Project") of the Economic Development Corporation of the City of Lansing (the "Issuer"); and

Whereas, Section 17 of Act No. 338 of the Michigan Public Acts of 1974, as amended, (the "Act") and Temporary Treasury Regulations Section 5f.103-2 require that in order for bonds to be issued by the issuer to assist in the financing of the Project, this City Council conduct a public hearing, after notice, and approve the issuance of bonds, all as provided in the Act and Temporary Regulations; and

Whereas, this City Council wishes to set a date for a public hearing on a Project Plan for the Project prepared by the Issuer.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, as follows:

1. A public hearing upon the issuance of bonds in the aggregate face amount not to exceed \$1,200,000 and the Project Plan for the Project shall be held at 7 o'clock, p.m., Michigan Time, on the 28th day of October, 1985, in the City Council Chambers, 10th Floor, City Hall, in the City of Lansing, County of Ingham, State of Michigan. At such hearing, the City Council of the City of Lansing shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for the expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the proposed bond issue and the Project Plan. The governing body shall make and preserve a record of the public hearing, including all data presented thereat.

2. The City Clerk is hereby requested to publish, post, and mail notice of such hearing, such notice to be substantially in the form attached hereto, in accordance with Section 17 of the Act and Temporary Treasury Regulations Section 5f.103-2.

3. The City Clerk is hereby directed to forward three (3) certified copies of this resolution to the Secretary of the Issuer.

4. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

Yeas—Councilman Adado, Belen, Benavides, Creamer, Lindemann Schmidt and Worthington—8.

Nays—None.

Abstentions—None.

Resolution declared adopted.

STATE OF MICHIGAN)
) SS.
COUNTY OF INGHAM)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 7th day of October, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

RITA M. BAUMAN,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0478

Resolved by the City Council of the City of Lansing:

ACT-25-85
Pere Marquette Drive

Whereas, the C&O Railroad Company has owned Pere Marquette Drive between Michigan Avenue and Shiawassee Street, which has provided access to adjacent property owners; and

Whereas, the Interstate Foods, Incorporated and business owners in the vicinity of Pere Marquette Drive have requested the City to obtain the right-of-way of Pere Marquette Drive to establish a public street; and

Whereas, the Lansing Planning Board has conducted a review of this request under ACT 285 of 1931 as amended and has made the following determination:

That adjacent business owners have requested the City to consider this proposal in light of the traffic circulation patterns in this area; whereby the trucks servicing the neighboring warehouses and commercial businesses are utilizing Clara's unimproved Pere Marquette Drive. Further, that the mixture of truck and restaurant traffic is incompatible and unacceptable, that development of this exhibition center and new development anticipated for this general area could generate new development interest and activity and more traffic between Cedar and the Conrail Rail line and that the public development of Pere Marquette Drive would provide a relief valve for the traffic generated by the new development; and

Whereas, the Planning Board has unanimously recommended that Pere Marquette Drive be considered for purchase and that a new street be constructed between Michigan Avenue and Shiawassee Street within the right-of-way of the old Pere Marquette Drive. This would be a City commitment for such a road and provide a positive effort in support of

private business improvements taking place in the area; and

Whereas, the Public Properties and Safety Committee of City Council has reviewed the report and recommendation of the Planning Board and has concurred therein;

Now, Therefore, Be It Resolved, that the City Council of the City of Lansing approves that administration proceed to negotiate with the C&O railroad for purchase or dedication of the public right-of-way to the City of Lansing, and that plans be initiated to develop an industrial access road between Michigan Avenue and Shiawassee Street along the Pere Marquette Drive alignment.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0479

Resolved by the City Council of the City of Lansing:

ACT-26-86
Beechfield Drive Cul-De-Sac

Whereas, Mr. Neil Davis of Birmingham, Michigan, Property Manager of the Terrace Townhouses located on Beechfield Drive has requested the City to vacate the cul-de-sac at the southern end of Beechfield Drive for the purpose of creating a childrens' play area; and

Whereas, the Lansing Planning Board has reviewed this proposal and has determined that the cul-de-sac at the southern end of Beechfield Drive is required for maintenance of the street, snow removal and traffic circulation, It was also determined that future development plans need to be more firm in order to determine the future needs of Beechfield Drive to service the vacant land south of the Terrace Townhouses; and

Whereas, the Planning Board has unanimously recommended that the vacation of Beechfield Drive cul-de-sac as requested by Mr. Davis be turned down and that the cul-de-sac continue to function as it was intended; and

Whereas, the Committee on Public Properties and Safety has reviewed the Planning Board's recommendation and concurs therein;

Now, Therefore, Be It Resolved that the Council of the City of Lansing deny the request of Mr. Davis to vacate the cul-de-sac at the southern end of Beechfield Drive.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0480

Resolved by the City Council of the City of Lansing:

Whereas, the Committee has been reviewing certain

concerns an recommendations from the recently completed Eastside Traffic Study; and

Whereas, congestion in the Municipal parking lot behind the businesses on the south side of the 2000 block of East Michigan Avenue was one area of concern;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby authorizes the placement of one sign at the northern access to this parking lot on Clemens Street which shall read:

**EXIT ONLY
EXCEPT DELIVERY TRUCKS**

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0481

Resolved by the City Council of the City of Lansing:

Whereas, the Committee has met with neighbors and parents from the Gier Elementary school area and shares their concerns for the safety of school children; and

Whereas, there are traffic hazards which can be corrected through means spelled out by the City's Traffic Engineer;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby authorized the placement of "No Stopping, Standing or Parking" signs on both sides of Gier Street from Polly to Winston.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

RESOLUTION #0482

Resolved by the City Council of the City of Lansing:

ACT-22-85

1621 Martin Street

Whereas, Mrs. Roberta E. Love of East Lansing, Michigan has offered to sell the property at 1621 Martin Street to the City of Lansing, due to her inability to rehabilitate the property to City Building Code and to rent the property; and

Whereas the Planning Board has reviewed this request and has determined that this proposal would be contrary to the Neighborhood Development Area #4 Development Plan for the expanded area, and that the CD funds are extremely limited for rehabilitation and acquisition in NDA #4; and

Whereas, the Planning Board has unanimously recommended that the City not accept the offer to purchase this property located at 1621 Martin Street; and

Whereas, the Committee on Physical Development of the Lansing City Council has concurred with the report of the Planning Board; and the recommendation of CDC4;

Now, Therefore, Be It Resolved that the Council of the City of Lansing rejects the offer for purchasing the property at 1621 Martin Street offered by Mrs. Roberta Love.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

RESOLUTION #0483

Resolved by the City Council of the City of Lansing:

P-3-85

Midwood Meadows Subdivision

Tentative Preliminary Plat Approval

Whereas, the petitioner, Roy C. Markey, has requested tentative preliminary plat approval for a subdivision to be known as Midwood Meadows; and

Whereas the Planning Board found that the 5.2 acre parcel is appropriately zoned for the development of twenty-two (22) single family lots; and

Whereas, the Planning Board recommended approval of the tentative preliminary plat subject to conditions; and

Whereas, the Physical Development Committee has reviewed the report of the Planning Board and concurs therewith;

Now, Therefore, Be It Resolved that the council of the City of Lansing grants tentative preliminary plat approval for Midwood Meadows Subdivision subject to the following conditions.

1. That the final plat be developed with all public improvement as required by the Lansing Subdivision Regulations and the Michigan State Plat Act.
2. That all lots shall be graded so surface water will drain therefrom so as not to adversely affect adjacent properties.
3. That the developer utilize an underground electrical distribution system as specified in Section 37-33.1 of the Lansing Subdivision Regulations.
4. That the necessary easements be provided for the installation of utilities.
5. That a pedestrian walk way between Lots 9 and 10 be provided.
6. That street names be changed or cleared through Tri-County Regional Planning Commission.
7. That additional area be included in the plat (Lots 20, 21, and 22) when title is obtained.
8. That the requirements of all other agencies be complied with, particularly the requirement that no sewers from this development be hooked into the system until repairs (between Renee and Midwood) in the Jolly Road sewers are complete. It is the Board's understanding that the sewer improvements that will handle this new development will be completed in the year 1986.
9. That the requested waiver of the required lot depth on Lots 9 and 10 be approved.

10. That this tentative approval of the preliminary plat is effective for a period of twelve (12) months; and

Be It Further Resolved that the City Clerk be directed to notify the petitioner of such action.

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinance(s) of the City of Lansing, Michigan providing that the code of ordinances be amended by:

Revising the district maps adopted by Section 36-6 of the Code of ordinances and to change the zoning classification for the rezoning petition

Z-24-85—2420 N. Grand River Ave. to be rezoned from "A" Residential District to "D-1" Professional Office District and "G-2" Wholesale District was introduced by Councilman Belen read a first and second time by its title(s) and referred to the Committee on Physical Development.

By COUNCILMEMBER BELEN—

RESOLUTION #0484

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, October 28, 1985 at 7:00 p.m. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving the following rezoning petition:

Z-24-85—2420 North Grand River Avenue to be rezoned from "A" Residential District to "D-1" Professional Office District and "G-2" Wholesale District filed by Commercial Insulation Co., Inc.

Adopted by the following vote:

Unanimously.

ORDINANCES

By COUNCILMAN BELEN—

That Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Mich. and for the revision of the district maps adopted by Section 36-6 of the code for property located at:

Z-18-85—3121 S. Cedar Street to be rezoned from "J" Parking and "F" Commercial Districts to "F" Commercial District.

Z-20-85—1626-1628 S. Cedar Street to be rezoned from "C" Residential District to "F" Commercial District and recommended that the ordinance be passed.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-18-85—3121 South Cedar Street to be rezoned from "J" Parking and "F" Commercial Districts to "F" Commercial District to be placed on order of immediate passage.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-18-85—3121 South Cedar Street to be rezoned from "J" Parking and "F" Commercial Districts to "F" Commercial District be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2170

An Ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing Ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number—Z-18-85, 3121 South Cedar Street Parcel Number—3301-28-476-011

Legal Description—Lot 31 and the west 110' of Lot 30, also commencing on the northwest corner of Lot 30; thence east on the north line of said Lot 30 109.62', north 0° 9'15" east 22.9', east 20.8', north 28.67', west 130.5' to east line of South Cedar Street south 51.57' to beginning, Cedarbrook Subdivision, City of Lansing, Ingham County, Michigan

From 'J' Parking and 'F' Commercial Districts to 'F' Commercial District. Landscape, screening and buffering shall be implemented in accord with Section 36-146 of the Code of Ordinances.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by the Section 36-6 of the Code for property located at Z-20-85—1626-1627 South Cedar Street to be rezoned from "C" Residential District to "F" Commercial District be placed on order of immediate passage.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-20-85—1626-1628 South Cedar Street to be rezoned from "C" Residential District to "F" Commercial District be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2171

An Ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing Ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number—Z-20-85, 1626-1628 South Cedar Street

Parcel Number—3301-21-476-060, 3301-21-476-065

Legal Description: Lots 9 and 10, except land used for street purposes, Block 2, amended plat of Hall Subdivision, South side Addition, City of Lansing, Ingham County, Michigan.

From 'C' Residential District to 'F' Commercial District. It is understood that in accord with the letter dated October 1, 1985 from Gary Potter, and on file in the Planning Department, the structure at 512 Isbell will be demolished within 30 days of the date of this final rezoning and the land used for off-street parking expansion.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

Councilmember Blair entered the session.

By COUNCILMEMBER BENAVIDES—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Denise Severns, 4007 Pleasant Grove Rd. submits letter for lowering the speed limit on Pleasant Grove Rd. between Holmes Rd. and Jolly Rd.

Referred to the Committee on Public Properties and Safety.

By COUNCILMEMBER BENAVIDES—

Resolved by the City Council of the City of Lansing:

Whereas each municipality participating in the National League of cities 1985 Congress of Cities is required under the NLC bylaws to designate a voting delegate for the annual business meeting on December 11th in Seattle, Washington, now

Therefore, Be It Resolved, the City Council of the City of Lansing, hereby officially designates Terry J. McKane as the City of Lansing's voting delegate in Seattle at the 1985 Congress of Cities.

Adopted by the following vote:

Unanimously.

REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

Mr. Cleophus Boyd spoke regarding the Willard St. Dike, Street repair and repaving, Interceptor drain update and partial Street closures for this week.

REMARKS BY THE CITY COUNCIL

Councilmember Schmidt reminded public who attend the Fire Dept. graduation ceremony to use the entrance road to Lansing General Hospital and Healthcare Ct.

Councilmember Adado announced the Fall leaf pickup began today. Also asked if Waverly Road could be opened to traffic for 2 hrs. each morning even with construction going on.

Larry Lopez reported on the Mexico City Relief Benefit to be held October 12th at the Civic Center from 6 p.m. to 1 a.m.

David Welch spoke regarding the lack of canvas used in the painting of the pedestrian overpass on Logan Street at Washtenaw St.

By COUNCILMEMBER CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:35 p.m.

October 7, 1985
Lansing, Michigan

RITA M. BAUMAN,
City Clerk

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

Proceedings, October 14, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

October 14, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Benavides.

Pledge of Allegiance.

By COUNCILMEMBER SCHMIDT—

That the council proceedings of September 16 and 23, 1985 be approved and Carried.

PUBLIC HEARING

October 14, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Industrial Facilities Exemption Certificate for 1508 N. Grand River Avenue, Nehi Beverage.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed certificate they will have the privilege of speaking at this time.

No person spoke.

Referred to the Committee on Economic Development.

October 14, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed make-safe or demolish property located at 530 S. Chestnut Street.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed make-safe or demolish property they will have the privilege of speaking at this time.

No person spoke.

Referred to the Committee on General Services.

October 14, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed make-safe or demolish property located at 1017 W. Kalamazoo Street.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed make-safe or demolish of property they will have the privilege of speaking at this time.

Marion Howell, former owner of property spoke and introduced Mary Hobbs as new owners and stated they were remodeling the property.

Referred to the Committee on General Services.

Councilmember Lindemann asked for suspension of rules for the presentation of a certificate to Jason Valade, Crossing Guard for Gier Park Elementary School, for his rescue of Misty Ruff during street crossing.

Fire Chief Mark Holliday presented Leonard Stromberg with the Fire Protection Service in Sweden. Mr. Stromberg stated that a contingent of Fire Protection workers were visiting the United States in eleven cities during Fire Prevention Week.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

On Committee Report #1 the license for Taxicab has been removed from agenda.

Nancy Kitson, 2116 Lyman, representing Groesbeck Neighborhood, spoke regarding Resolution No. 3. (Letter containing remarks was presented to councilmembers.

Michael Sturley, Community Mental Health Board, spoke regarding Resolution No. 3.

Margaret Herp. 906 Stanley St., spoke regarding communication #4.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

- Sign Erector—Hick's Sign Co.
- Building Wrecker License—Wemco Construction Co.
- Public Driver—Michael E. Mason and Douglas L. Harms.

Referred to the Committee on General Services.

Temporary Restraining Order and Order to Show Cause filed in Circuit Court in regard to Johnson's Dental Lab., Inc. v City of Lansing for property located at 604 S. Magnolia St.

Referred to the Mayor and City Attorney.

Claims filed by:

a. Ken Waterhouse, 331 Richard St., for damages to truck from striking meter post in parking lot at 500 blk. E. Michigan Ave.

b. Annamae Dempsey, Holt, MI, for automobile door damaged from piece of street in the 700 blk. of N. Larch Street.

c. Keith Cunningham, 840 Fredt St., for automobile damaged on underside by a steel rattail file in the Cedar St. construction zone.

d. Dale L. Brighton, 3730 N. East St., for automobile damaged by dropping into an unmarked open manhole in Ballard St. at entrance to Demmer Corp.

Referred to the Mayor and City Attorney.

Request submitted for payment of legal fees incurred with repeal of City Retirement Ordinance No. 702 Section 26-23 (c) filed by City Employees.

Referred to the Mayor.

Petition for rezoning—Z-29-85, Vacant land on E. Northrup St. Described as the E. 68.88' of the following described property, Com 100 ft. E and 43 ft. N. of SE Cor Rand-Kris Sub., TH N 163 ft. E 111.47 ft. N 58 ft., E. 68.88 ft., S. 147 ft., S 62 Deg. W. to Pt. E. of Beg., W. to Beg.; Section 4 T3N R2W City of Lansing, County of Ingham, Michigan to be rezoned from "A" Residential District to "F" Commercial District filed by LeRoy Henry.

Referred to the Mayor and Planning Board.

Volunteer of America submits letter of thanks for their grant money.

Received and placed on file..

Applications filed for Commercial Facilities Exemption Certificates by:

- a. Accident Fund of Michigan, 232 S. Capitol.
- b. Fox and Associates, Inc., Northwest Corner of Edgewood Blvd. and South Cedar St.

Referred to the Mayor and Committee on Economic Development.

Application for Industrial Facilities Exemption Certificate for 1800 Bassett Avenue filed by Cameron Tool Corp.

Referred to the Mayor and Committee on Economic Development.

Application for creation of Plant Rehabilitation District filed for Speaker-Hines & Thomas, Inc. 3366 Remy Drive.

Referred to the Mayor and Committee on Economic Development.

Michigan Liquor Control submits notification of availability of Class C liquor license.

Referred to the Mayor and Committee on Economic Development.

Roy Markey submits request for City of Lansing to file with state for "Application to Withhold from Sale" for property owned by him.

Referred to the Mayor.

MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

No comment.

REPORT OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following Licenses and Bonds:

- Sign Erector License—Hick's Sign Co.
- Building Wreckers License—Wemco Construction Co.
- Public Driver—Michael E. Mason, Douglas L. Harms, George F. Smalley.

Signed:

SIDNEY WORTHINGTON
ALFREDA SCHMIDT
CHARLES CREAMER
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

To whom was referred the matter of satellite locations for the payment of parking violation fines reports as follows:

The Committee concurs with the recommendation

of the Administration not to establish satellite locations for this purpose.

Signed:

JAMES BLAIR
LOUIS ADADO
PAT LINDEMANN
Committee on Public Properties and Safety

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

October 10, 1985

President Charles Creamer and
Members of Lansing City Council

RE: Claim of Patricia Mask
in the amount of \$232.40

Dear President Creamer and
Members of Lansing City Council:

On July 5, 1985 Patricia Mask submitted a claim in the amount of \$181.70 for damage to her 1982 Oldsmobile and \$50.70 for four hours taken off of work to obtain the necessary estimates. Claimant states that on July 1, 1985 at approximately 5:05 p.m. she was leaving the Capitol Avenue Parking Ramp. She claims that she entered her control card into the control card reader heard the "beep" sound watched the exit gate go up and began to proceed through the gate. However, partway through the exit the gate arm came down on the roof of her vehicle causing damage.

An investigation was conducted and a report prepared by the Parking Division of the Public Service Department. At the time of the above described incident a parking attendant was on duty near the scene when Claimant's vehicle approached. Ahead of Claimant's vehicle at exit six was another patrons vehicle. This vehicle had stopped at the sidewalk waiting for traffic to clear on Townsend Street. The gate was in the raised position. When traffic cleared the lead vehicle cleared exit six releasing the gate which was returning to the closed position when it struck Claimant's vehicle. There had been no gate equipment failure at exit six location prior to this incident, therefore no equipment or adjustments or corrections were made.

Based upon the above information there is a dispute between Claimant's statement and those of the parking attendant on duty. Claimant's states that she watched the gate arm go up and began proceeding through the exit. The parking attendant states that the gate arm was already raised due to the fact that another vehicle proceeded through ahead of Claimant's vehicle and was awaiting traffic to clear on Townsend Street before clearing the exit. Additionally, this attendant does not recall hearing a "beep" which would indicate that the Claimant used her exit card to raise the gate.

Based on the report of the City's Parking Attendant, it appears that the cause of the injury was the Claimant's improper use of the exit gate.

Therefore it is the recommendation of this office this claim should be denied.

Very truly yours,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMEMBER BENAVIDES—

That we do not concur in the recommendation of the City Attorney and this claim be paid in the amount of \$232.40.

Discussion held.

By COUNCILMEMBER BENAVIDES—

I'll amend that this claim be paid in the amount of \$181.70—the amount of the repairs for automobile.

Adopted by the following vote:

Yeas—Councilmember Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—7.

Nays—Councilmember Blair—1.

The claim as amended was adopted by the following vote:

Yeas—Councilmember Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—7.

Nays—Councilmember Blair—1.

October 10, 1985

President Charles Creamer and
Members of Lansing City Council

RE: Claim of Kathryn Wickham in the amount
of \$97.59

On August 19, 1985 Kathryn Wickham submitted a claim for damage to a window of her home at 1502 Wood Street in the amount of \$97.59. Claimant states that a golf ball from the Groesbeck Golf Course broke her window.

A report by Lansing Police Department indicates that the incident took place on July 28, 1985 at approximately 8:00 p.m. Claimant states that she heard glass break from a side window of her house. Upon checking she discovered that the window had been shattered by a titlist number two golf ball. Claimant's home is located directly across the street from Groesbeck Golf Course.

Pursuant to the Ross v Consumer Power decision, the operation of a municipal golf course may fall within the category of a governmental function to which immunity from liability for negligent acts is extended. The fact that fees are charged, does not necessarily remove that immunity. Never-the-less, in cases such as this where the cause of the damage is clear, it has been the City's practice to pay claims such as this.

Therefore it is the recommendaiton of this office that this claim be granted.

Very truly yours,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be approved and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of \$97.59 payable to Kathryn Wickham.

Carried.

October 10, 1985

President Charles Creamer and
Members of Lansing City Council

RE: Claim of Cheryl Baker

Dear President Creamer and
Members of City Council:

On September 18, 1985 the claimant filed a claim for personal injuries suffered in a fall at Potter Park. A review of the claim submitted by the claimant in this matter indicates that this matter should be referred to the City's insurance carrier for handling. A letter indicating the same has been sent to the claimant.

Therefore, no further action is necessary by the City Council.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be referred to the City's Insurance Carrier.

Carried.

October 10, 1985

President Charles Creamer and
Members of Lansing City Council

RE: Claim of William Dennis Powell
in the amount of \$274.52

Dear President Creamer and
Members of Lansing City Council:

On June 17, 1985 William Dennis Powell submitted a claim for damage to his 1985 Buick in the amount of \$274.52. The Claimant reported that on the Evening of May 31, 1985 the vehicle was parked about fifty feet (50') from a twenty-eight inch (28") Cottonwood tree across the road directly in front of Claimant's home at 4917 Sidney. The next morning the Claimant noticed tree branches strewn all over his yard, the road, and tree branches hanging in the electrical wiring. Claimant noticed later that day some marks on the hood roof, trunk and right rear door of his vehicle. Some of the marks washed off, however, some could not be removed by "conventional methods".

An investigation by the Forestry Division of the Department of Parks and Recreation indicates that a severe wind storm occurred on May 31, 1985. Wind speeds of up to 69 miles per hour out of the West were recorded. Claimant's vehicle was parked on the West side of the dirt road. The 28" Cottonwood tree is located on the East side of the street. With the wind

coming out of the West it is difficult to understand how the damage could have occurred to Claimant's vehicle from branches of that particular Cottonwood tree. The Cottonwood tree was inspected and was found to be sound and otherwise not a hazard. It is scheduled to be removed in the fall of 1985 only because Cottonwoods are an undesirable species.

Based upon the above information, it appears the Cottonwood tree indicated by the Claimant could not have reasonably been the cause of the damage to his vehicle. It is highly possible that tree branches from other trees public or private struck Claimant's vehicle. Additionally, the Cottonwood tree was inspected and found to be sound and not a hazard.

Therefore, it is the recommendation of this office that this claim be denied on the basis of the above facts.

Very truly yours,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

October 10, 1985

President Charles Creamer
and Members of Lansing City Council

RE: Claim of Kenneth R. Stuter in the amount
of \$504.22

Dear President Creamer and
Members of Lansing City Council:

On July 1, 1985, Claimant filed this claim seeking compensation for damages to his vehicle in the amount of \$504.22. Mr. Stuter claims that his brand new 1985 Plymouth minivan was parked on the roof of the City Parking lot at Capitol and Shiawassee Streets, near the elevator enclosure, on June 25, 1985. On that day the outer walls of the elevator enclosure were painted, and some of the paint was sprayed on his vehicle. The Claimant twice had to take his vehicle to a repair facility to have the paint buffed and resurfaced, new grill, mirror and head lamp barrel installed, for a total cost of \$504.22.

An investigation by Robert Dietz of the Transportation Division, Public Service Department confirms that the elevator enclosure was spray painted on June 25, 1985, that the Stuter van was properly parked adjacent to the enclosure, that it was a windy day and that the City's painter did not act to prevent cars from parking in the immediate vicinity of the elevator enclosure during the painting process. Therefore it appears that the damage to the Stuter vehicle may have been caused by employee negligence.

Never-the-less, past City practice has been to pay claims such as this where the acts of the City resulted in the damage. Additionally, although the City may have immunity, such immunity would not extend to the employees involved. cf *Ross v Consumers Power*, supra.

Therefore, based on the above and past City policy and practices, it is the recommendation of this office that this claim should be paid.

Very truly yours,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be paid and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of \$504.22 payable to Kenneth R. Stuter.

Carried.

October 10, 1985

President Charles Creamer and
Members of Lansing City Council

RE: Claim of Alvoelino Rodriguez

Dear President Creamer and
Members of City Council:

On July 5, 1985 a claim in the amount of \$176.40 for damage to the front door of an apartment located at 1135 S. Grand Avenue, which structure is owned by the claimant and rented out. Claimant states that some time around May 1, 1985 the door to the apartment located at 1135 S. Grand Avenue was forcibly opened by Lansing Police officers executing a valid search warrant.

A report filed with this office by the Lansing Police Department indicates that on May 1, 1985 at approximately 2:00 a.m. in the morning several Lansing Police officers in conjunction with the Tri-County Metro Narcotics Squad executed a valid search warrant for illicit drugs on the premises of 1135 S. Grand Avenue. The officer, after identifying themselves, received no response and gained entrance by physically forcing the door open. No more force than was necessary was used to gain access. A number of illicit drugs were seized.

Pursuant to state statute, MCLA 780.656, police officers are specifically authorized in executing a search warrant to break an inner or outer door of a house or building if the police officer fails to receive a response or are refused admittance, provided that the officer give notice of that authority and purpose. In addition in Michigan a fundamental requisite, inter alia, for establishing tort liability is the existence of a duty between the parties and the breach thereof. See *Portage Aluminum Co v Kentwood National Bank*, 106 Mich App 210; 307 NW2d 761 (1981). In this particular instance, the police officers were performing their duty in a reasonable manner and in compliance with state statute.

Based upon the aforementioned facts and law, it is the recommendation of this office that the claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMEMBER BENAVIDES—

I move that we refer this claim to the Committee of the Whole.

Carried.

DATE: 10/8/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Energy Administration, Department of
Commerce

RE: Letters of commendation and thanks to City
of Lansing

The attached correspondence is submitted for your
information.

TERRY J. MCKANE,
Mayor.

Received and placed on file.

October 10, 1985

Council President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and City Councilmembers:

On September 26, 1985, I submitted for your consideration Mr. Michael C. Bohnet to serve as a Temporary Director for the Accident Fund downtown project.

I would like to withdraw that request and substitute Mr. Robert J. Forgrave. He resides at 2622 Bedford and is employed as a Business Forms broker with Dynamic Business Forms. He is also actively involved in several civic organizations.

I trust you will give careful consideration to the appointment of Mr. Robert J. Forgrave to this important project.

Best personal regards,

Sincerely,

TERRY J. MCKANE,
Mayor.

Referred to the Committee of Economic Development.

DATE: 10/10/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director of Planning and Municipal
Development

RE: Tax Abatement Application Review
(Nehi Beverages, Inc.)

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Economic Development.

DATE: 10/10/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Lansing Planning Board

RE: Planning Board Meeting Change

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor.

Received and placed on file.

October 8, 1985

City Council President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and Councilmembers:

As you may recall, my appointment of Jean Tubbs to the Board of Fire Commissioners has been held up by members of your Public Properties and Safety Committee. I am sorry that these Councilmembers have chosen to not consider this appointment in a timely manner.

In a spirit of cooperation with all Councilmembers, I withdraw the nomination of Ms. Tubbs. I also suggest that you institute Council procedures that will prevent a minority of Councilmembers from frustrating our process of citizen involvement in the important work of public safety.

I herewith submit to you for your consideration and confirmation the appointment of Mr. Philip T. Savich to the Board of Fire Commissioners. The term will expire in June, 1987.

Mr. Savich resides at 2401 E. Jolly and is a practicing attorney with the Lansing firm of Foster, Swift, Collins, and Coey.

I ask that you give careful and timely consideration to the appointment of Mr. Philip T. Savich to this important citizen Board.

Best personal regards,

Sincerely,

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

DATE: 10/11/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Finance Director

Re: Final Report on the City's Financial Position
at June 30, 1985

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Ways and Means.

DATE: 10/10/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Lowe Construction Company

Re: Request for Extended Work Hours—
Collins Road Sewer Project

The attached correspondence is submitted with my concurrence for your approval.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Physical Development.

RESOLUTIONS

RESOLUTION #0486

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District CRD-10-85, proposed by Walter Neller Enterprises for 1322 E. Michigan Avenue and more particularly described as:

A parcel of land located in the City of Lansing, Ingham County, State of Michigan:

Lot 6, Assessor's Plat No. 17, City of Lansing, County of Ingham.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District; and

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 4th day of November, 1985, at 7:00 p.m., and that notice of such hearing be published in a publication of general circulation in said City.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0487

Resolved by the City Council of the City of Lansing:

Whereas, International Growing Systems, Inc., has presented a proposal to the City of Lansing for the lease of three city owned greenhouses located on E. Mt. Hope which are deteriorating and no longer being used by the City; and

Whereas, International Growing Systems, Inc., intends to lease these greenhouse facilities for use as a non-profit research, development and training center in the growing of fresh vegetables hydroponically; and

Whereas, International Growing System, Inc., has agreed to work with local groups with an interest in research in hydroponics as well as to promote education and training for community groups and institutions such as Beekman Center; and

Whereas, International Growing Systems, Inc., has further indicated a willingness to renovate and maintain the greenhouse facilities including payment of utilities and insurance at their own expense;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby approves the concept of leasing the City owned greenhouse facilities located on E. Mt. Hope Road to International Growing Systems, Inc., on a not for profit basis and authorizes the administration through its Property Management Division to enter into a two (2) year lease with International Growing Systems, Inc.; and

Be It Further Resolved, the terms and conditions of said lease shall include a requirement for a minimum investment of \$6,500 over the two year period in the leasehold improvements as well as designation of the City's Internal Auditor to monitor the improvements as well as adherence to all other terms of lease agreement; and

Be It Finally Resolved, the City Council hereby reserves the right to review the contract for lease of the abovementioned City property (site description attached) prior to its execution.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0488

Resolved by the City Council of the City of Lansing:

Whereas, a potentially dangerous situation resulting from traffic speed on Pleasant Grove Road between Holmes and Jolly has come to the attention of the Committee on Public Properties & Safety; and

Whereas, flashing "children crossing" signs are not readily available and more study must precede their installation; and

Whereas, the Committee feels some immediate action must be taken to reduce the potential for accidents involving school children;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby authorizes and encourages the Mayor to invoke his emergency powers to direct the Transportation Division to install thirty miles per hour (30 MPH) speed limit signs on Pleasant Grove Road between Holmes Road and Jolly Road to be consistent with those between Mt. Hope and Holmes Road and;

Be It Further Resolved the Council requests the Administration to direct the Lansing Police Department

to increase speed limit enforcement efforts on Pleasant Grove Road; and

Be It Finally Resolved, the Traffic Board is requested to perform a complete study of traffic conditions on Pleasant Grove Road from Mt. Hope south to Jolly Road and report back to the Committee on Public Properties and Safety as soon as possible.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0489

Resolved by the City Council of the City of Lansing:

Whereas, it has been determined that a cul-de-sac should be constructed at the south end of Foster Street, south of Elizabeth Street, and

Whereas, it is necessary to acquire additional right-of-way for this construction,

Now, Therefore Be It Resolved that the Property Management Division by authorized to contact the current owners of the required property and enter into negotiations and purchase said property.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

RESOLUTION #0490

Resolved by the City Council of the City of Lansing:

FCF-4-85
2125 Lyman

Whereas in accord with the provisions of Act 28, Public Act of 1977, State of Michigan, the Michigan Department of Social Services has notified the City of Lansing of its intent to license an adult foster care facility for no more than six (6) developmentally disabled adults upon the premises commonly known as 2125 Lyman, and more particularly described as:

Lot 442 and the east 32.5 feet of Lot 441, Groesbeck Hills Subdivision #11, City of Lansing, Ingham County, Michigan;

and Whereas upon receipt of the application notice from the State of Michigan, the Department of Planning and Municipal Development and Fire Marshal's office conducted a site inspection on August 14, 1985; and

Whereas the Department of Planning and Municipal Development reviewed the application and the results of the inspection and found the following:

1. There are certain Building and Fire Code requirements that must be completed prior to the issuance of a license.

2. There are no other similar licensed facilities, existing or proposed, within 1500 feet of the proposed facility.

3. There is considerable neighborhood opposition to this proposed facility including fifteen (15) letters and a petition with 190 signatures sent to the Michigan Department of Social Services and to the ward councilman; and

Whereas the Physical Development Committee of City Council, to whom was referred the report of the Planning and Municipal Development Department, and recommends the following:

1. That the license application for property at 2125 Lyman be returned to the Michigan Department of Social Services indicating that the facility is located more than 1500 feet from an existing similar facility or other proposed similar facility.

2. That Community Mental Health be complimented on their cooperation in conjunction with the location of their facilities.

3. That the letters and petitions in opposition to the proposed license be forwarded on to the Michigan Department of Social Services.

4. That the result of the inspection reports performed by the City of Lansing also be attached and returned with the application;

Now, Therefore, Be It Resolved that the Council of the City of Lansing returns the application to the Michigan Department of Social Services for a proposed adult foster care facility at 2125 Lyman with the following comments and attachments:

1. The license application for property at 2125 Lyman be returned to the Michigan Department of Social Services indicating that the facility is located more than 1500 feet from an existing similar facility or other proposed similar facility.

2. Community Mental Health be complimented on their cooperation in conjunction with the location of their facilities.

3. The letters and petitions in opposition to the proposed license for forwarded on to the Michigan Department of Social Services.

4. The results of the inspections performed by the City of Lansing also be attached and returned with the application.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBERS BENAVIDES AND LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Steve Dines submits request for names and addresses of all rentals of the Lansing Civic Center for the past 30 days.

Referred to the Mayor.

(Response requested at October 31, 1985 Public Properties and Safety meeting).

Silviano Alvarado, 1020 Regent St., submits letter for removal of defective asphalt driveway put in by Community Development Program and replacing same.

Referred to the Mayor.

(Response requested to Councilmember Lindemann)

Yellow Cab Co. 229 South Cedar St., submits request to license 7 more taxicabs.

Referred to the Committee on General Services.

REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

Mr. Cleophus Boyd spoke regarding policy for locked vehicles and response of the Police Dept.; Equity Funds; Sewer and Interceptor Drain work update and announced street closings for the week.

REMARKS BY THE CITY COUNCIL

Councilmember Benavides spoke of the success for the "Aid for Mexico" fundraiser held Saturday night at the Civic Center. Also thanked fellow councilmembers for quick action regarding traffic problem on Pleasant Grove Rd.

Vern Taylor, 1822 Wesley Place, spoke for city employees in regard to Teamsters Union and Labor Relations of the City.

Eleanor Love, 1835 Dogwood, spoke regarding dues for Teamsters Union being enforced.

Mary Haney spoke regarding letter received from the Building Dept. in regard to violation.

David Welch, 1122 Hammond, spoke regarding union representation.

Patricia Boyd, City Employee, spoke regarding Teamster Union Contract.

By COUNCILMAN BLAIR—

I move to have the Labor Relations Director at the Committee of the Whole meeting on Thursday at 4 p.m.

Carried.

Billie Wright spoke regarding Candidates Night, October 24, 1985 at 7:30 p.m. at the North Lansing Comfort Station.

By COUNCILMEMBER CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:15 p.m.

RITA M. BAUMAN,
City Clerk.

October 14, 1985
Lansing, Michigan

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

Proceedings, October 21, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

October 21, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Schmidt.

Pledge of Allegiance.

PUBLIC HEARING

October 21, 1985, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Facilities Exemption Certificate for 419 Cherry Street, Otis Elevator Co.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Commercial Facilities Exemption Certificate they will have the privilege of speaking at this time.

No person spoke.

Referred to the Committee on Economic Development.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Gary Ferris, 4113 Hillborn Lane spoke regarding Communication #9.

Gladys Beckwith, President of Michigan Women Studies Association spoke on Resolution #4.

John Boettjer, 2723 Arlington Rd., spoke regarding Communication #7.

Sue Mills, Executive Director of the Center for the Arts, spoke regarding Resolution #4.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

Public Drivers—Robert L. Lookingbill
Sign Erector—AAA Sign Erector

Referred to the Committee on General Services.

Summons and Complaint filed in 30th Judicial Circuit Court regarding fire at 2321 Forest Road by:

a. Robert C. Cyphert, personal representative of the Estate of Robert C. Cyphert, Jr., deceased, Robert C. Cyphert, conservator/guardian of the Estate of Robyn Cyphert, a minor; Robert C. Cyphert, St. and Annette Cyphert vs. Capt. Rolland Case; Deputy Chief Zerkle, of the City of Lansing Fire Dept.; Capt. D. Decker; Fireman S. Colegrove; Capt. Anderson; Capt. Foess; Mark Holiday, Fire Chief of City of Lansing and City of Lansing Fire Dept.

2. Ronald Espie and Nola Espie vs City of Lansing Fire Department.

Referred to the Mayor and City Attorney.

Suite filed in Circuit Court by Hardman Construction, Inc. v City of Lansing and Hanel-Vance Construction Co. for compensation of extra work of subcontractor.

Referred to the Mayor and City Attorney.

Claims filed by:

a. Delora L. Andrews, 1912 Vermont, for removal of paint splattered on automobile from repainting of skywalk at Washtenaw and Logan Sts.

b. Janet R. Bunge, 1023 Southfield, for reimbursement of automobile damages from hitting a piece of steel which fell from a city vehicle.

c. Dale E. Dezess, 6811 Helman Blvd., for replacement of automobile exhaust system damaged at Cedar St. resurfacing site.

Referred to the Mayor and City Attorney.

Attorney James Heos submits notice of intent to file suit for Ivy J. Juarez regarding injuries sustained in a fall on a city sidewalk.

Referred to the Mayor and City Attorney.

Petition for rezoning—Z-30-85, 405 E. Holmes Road, described as, East ½ of Lot 14, Block 2, of Oak Crest Subd., Lansing of S.W. ¼ of S.E. ¼ of Sec. 28, T4N, R2W, City of Lansing, County of Ingham, Michigan, to be rezoned from "DM-3" District to "F" Commercial District filed by A.S. Toth.

Referred to the Mayor and Planning Board.

River Forest Neighborhood Association submits letter of appreciation for the work of Assistant City Attorney Bonnie Toskey.

Received and placed on file—Copy to Bonine Toskey, Attorney.

Application for Commercial Redevelopment District filed for M&D Associates, 208 N. Capitol Avenue.

Referred to the Mayor and Committee on Economic Development.

Letter and petitions filed by Bob DeVotre, PTA President, for crossing guard to be made permanent at Brighton and Stillwell.

By COUNCILMEMBER BENAVIDES—

That the Mayor authorize his staff to place a permanent crossing guard in this area.

By COUNCILMEMBER ADADO—

I move an amendment that a temporary crossing guard be placed here until a study has been completed.

Carried.

Gary R. Andrews submits letter requesting all information regarding 1984-85 and 1985-86 outstate "Equity Fund" Appropriations.

Referred to the Mayor.

North Lansing Community Association submits request for their Fun Festival to be held June 12-15, 1986.

Referred to the Mayor.

Touche, Ross and Co., submits reports for City of Lansing, Municipal Parking System Fund, Building Authority Fund, Sewage Disposal System Fund, 54-A District Court and Management letters for City of Lansing and 54-A District Court for the year ending June 30, 1985.

Received and place on file.

REPORT OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

Public Drivers—Robert L. Lookingbill
Sign Erector License—AAA Sign Service.

Signed:

SIDNEY WORTHINGTON
ALFREDA SCHMIDT
CHARLES CREAMER
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

October 15, 1985

President Charles Creamer and
Members of Lansing City Council

RE: Claim of Steven J. Hoeksma for damage to
parked car by City refuse truck

Dear President Creamer and
Members of City Council:

On September 4, 1985 claimant filed a claim in the amount of \$1,601.39 for damage to claimant's parked vehicle by a City refuse truck. Subsequently, after discussion with the claimant and claimant's insurance company, claimant has notified this office that he has been reimbursed in full by his insurance company. In addition, if any liability is determined to exist on the part of the City, the City's insurance carrier would be obligated to reimburse the claimant's insurance company. Therefore, this office has also referred this matter to the City's insurance company.

As a result, no further action on this matter need be taken by City Council.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be referred to the City's insurance company.

Carried.

October 16, 1985

President Creamer and Members
of Lansing City Council

RE: Claim of Patricia A. Andrews in the amount
of \$206.36.

Dear President Creamer and
Members of Lansing City Council:

The claimant submitted this claim for reimburse-

ment of the special assessment for cleaning up the garbage and debris in the garage at 424 and 426 Leshar Place, Lansing, Michigan. Mrs. Andrews claims that the work was done by the owner through a private contractor for which she paid \$30.00.

Investigation with the Building Safety Division of the Planning Department revealed that the inspector found the garage to be filled with "trash, garbage, debris, and rats." A reinspection sixteen days following the original inspection revealed the same condition. The City contracted with Wemco Construction to remove the articles from the garage. Investigation revealed that Wemco Construction went to the site on January 9, 1985, and saw no violation as the garage door where the violation existed had been closed. Upon reinspection the inspector found that the violation had not been corrected and redirected Wemco Construction to clean up the offense. On January 17, 1985, Wemco Construction removed four (4) yards of trash, garbage and debris from the garage at 424 and 426 Leshar Place.

The invoice submitted to the City from Wemco Construction indicated that clean-up required forty-five minutes, forty-five minutes travel time and a four yard dumping charge for a total of \$76.36.

The investigation did not reveal any error in inspection, clean-up or billing. The violation cited did indeed exist from December 19, 1984 until cleaned up by the City Contractor on January 17, 1985. For these reasons, it is the recommendation of this office that this claim be denied.

Very truly yours,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

October 16, 1985

President Charles Creamer and
Members of Lansing City Council

Re: Claim of Marilyn K. Madigan in the amount of
\$263.35.

Dear President Creamer and
Members of City Council:

On August 28, 1985 Marilyn K. Madigan submitted a claim for damage to her 1985 Mercedes Station-wagon in the amount of \$263.35. On August 19, 1985 as she was entering the City of Lansing parking mall bounded by Allegan Street and Michigan Avenue the arm of the ticket gate opened and upon entering, the ticket gate came down on the top of her vehicle.

A report from the Transportation Division of the Public Service Department indicates that prior to this incident the attendant on duty had not observed any problems with the ticket gate arm. However, upon inspection the gate was acting erratically and the loop had to be reset. The report concludes that the accident was probably the result of equipment malfunction.

Statutory authority exists for governmental immunity, MCLA 691.1407; MSA 3.996(197). It would

appear that operation of a parking lot is such an activity if not done for profit. Nevertheless, it has been the City's policy to pay such claims where damage is attributable to the City's negligence.

Therefore, it is the recommendation of this office that this claim be granted.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and the City Clerk and she is hereby directed to draw a warrant on the City Treasurer in the amount of \$263.35 payable to Marilyn K. Madigan.

Carried.

October 16, 1985

Council President Charles Creamer,
City Council Members, and
Mayor Terry J. McKane

RE: Fox Development, EDC Project

At a special meeting of the Economic Development Corporation Board of Directors held on October 16, 1985, the Resolution Recommending Project Plan was approved unanimously. We are forwarding said Project Plan and Resolution to you for your approval.

Sincerely yours,

EMERSON B. OHL,
Executive Director

Referred to the Committee on Economic Development.

October 16, 1985

Council President Charles Creamer,
City Council Members and
Mayor Terry J. McKane

RE: Roselawn Manor, EDC Project.

Dear Council Members and Mayor McKane:

At a Special Board of Directors meeting held on October 16, 1985, the Lansing Economic Development Corporation Board of Directors approved a Resolution of Inducement and Intent to Issue Revenue Bonds, To Proceed with a Project, To Appoint Bond Counsel, To Designate Project Area, To Recommend Project District Area and to Request Appointment of Additional Directors which we are forwarding to you for your approval.

Sincerely yours,

EMERSON B. OHL,
Executive Director

Referred to the Committee on Economic Development.

October 16, 1985

City Council President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and City Councilmembers:

I herewith submit to you for your consideration and confirmation the appointment of Elaine S. Tycocki to the Capital Region Airport Authority Board. The term will expire October 14, 1989.

Ms. Tycocki has been a life-long resident of Lansing and resides at 2414 Wellington. She is the director of Sales and Marketing for the Clarion Hotel.

I trust you will give careful consideration to the appointment of Elaine S. Tycocki to this important Board.

Best personal regards,

Sincerely,

TERRY J. McKANE,

By COUNCILMEMBER ADADO—

That we concur in the recommendation of the Mayor and appoint Elaine S. Tycocki to the Capital Region Airport Authority Board.

Carried.

October 17, 1985

City Council President Charles Creamer and Lansing City Councilmembers

Dear President Creamer and Councilmembers:

I herewith submit to you for your consideration and confirmation the appointment of Mr. James D. Wisner to the Board of Electrical Examiners. The term will expire June, 1989.

Mr. Wisner resides at 1715 Mary Ave. and is self-employed as an electrical contractor. He is an active member of the Electrical Contractors Association and the Masons.

I trust you will give careful consideration to the appointment of Mr. James D. Wisner to this important Board.

Best personal regards,

Sincerely,

TERRY J. McKANE,
Mayor.

Referred to the Committee on General Services.

DATE: 10/16/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Charles E. Ford

RE: Board Resignation: Police Community Relations Board

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor.

Received and placed on file.

DATE: 10-17-85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Labor Relations Director

RE: Teamster Union Dues

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor.

Referred to the Committee on General Services.

DATE: 10/17/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development Department

RE: Trash Removal Assessment for U-29 December 1985 Tax Roll \$4,476.45

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER SCHMIDT—

That we concur in the recommendation of the Mayor and the Trash Removal Assessment in the amount of \$4,476.45 be placed on the U-29 December 1985 Tax Roll.

Carried.

DATE: 10/15/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Finance Department

RE: Transfer of funds

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Ways and Means.

RESOLUTIONS

RESOLUTION #0491

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Industrial Development District IPR-1-85 in the City of Lansing, pursuant to Public Act 198 of 1974, as amended, at 1508 N. Grand River Avenue; and

Whereas, Nehi Beverages, Inc. has submitted an application for an Industrial Facilities Exemption Certificate for renovation of the facility and replacement of equipment within said Plant Rehabilitation District IPR-1-85; and

Whereas, a hearing was held on Nehi Beverage's application for an Exemption Certificate on October 14, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, Nehi Beverages, Inc. has met the requirements for said Exemption Certificate as required by Public Act 198 and by the policies of this Council; and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated October 14, 1985 attached hereto).

Now, Therefore, Be It Resolved the Council of the City of Lansing approves the application from Nehi Beverages, Inc. for an Exemption Certificate in Lansing Plant Rehabilitation District IPR-1-85, to remain in effect for a period of twelve (12) years.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON ECONOMIC DEVELOPMENT—

RESOLUTION #0492

LANSING CITY COUNCIL RESOLUTION APPROVING PROJECT AREA, ESTABLISHING PROJECT DISTRICT AREA AND CONFIRMING APPOINTMENT OF ADDITIONAL DIRECTORS TO THE BOARD OF DIRECTORS OF THE ISSUER (Roselawn Manor Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan held at 7:00 o'clock p.m., Michigan Time, on October 21, 1985, at which the following members were present:

Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, and Worthington, and the following were absent: none

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Belen:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to

alleviate and present conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents, to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, a project has been proposed (the "Project") to The Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned condition; and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and Project District Area for its Project to this City Council for its approval thereof.

Now, Therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer, is hereby certified as approved:

Lot No. 1 of the Plat of Roselawn (a replat of Lots 1-12 inclusive and Reservation B of the Plat of Penn-Cedar Subdivision and other lands) according to the plat thereof recorded in Liber 29 of Plats at page 6, Ingham County Records.

2. The territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area having the same description as the Project Area herein certified as approved is hereby established.

3. Pursuant to Section 20(e) of the Act, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed.

4. This City Council hereby advises and consents to the appointment by the Mayor of the City of Lansing of Robert J. Forgrave and Kevin C. Kevitch as additional directors to the Board of Directors of the Issuer, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.

5. The City clerk is hereby directed to provide three certified copies of this resolution to the Secretary of the Issuer.

Yeas—Councilman Adado, Belen, Benavide, Blair, Creamer, Lindemann Schmidt and Worthington—8.

Nays—None.

Abstentions—None.

Resolution declared adopted.

STATE OF MICHIGAN)
) SS.
COUNTY OF INGHAM)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 21st day of October, 1985, and that the

said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

RITA M. BAUMAN,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0493

**RESOLUTION CONFIRMING APPOINTMENT
OF ADDITIONAL DIRECTORS
(Accident Fund Project)**

Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held at 7:00 o'clock p.m., Michigan Time, on October 21, 1985, at which the following members were present:

Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, and Worthington—8.

And the following absent—none.

The following preamble and resolution were offered by Councilmember Adado and supported by Councilmember Belen:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents, too promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, Michigan State Accident Fund, a membership organization/mutual insurance company, has proposed a project (the "Project") to the Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions; and

Whereas, the Issuer in conformity with the Act, has designated a Project Area and Project District Area for the Project to this City Council for its approval thereof.

Now, Therefore, Be It Hereby resolved by the City Council of the City of Lansing, as follows:

1. The appointment by the Chief Executive Officer of the City of Lansing of Robert J. Forgrave and Kevin C. Kevitch as additional directors to the Board of Directors of the Issuer pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and the business interests likely to be affected by the Project, is hereby confirmed.

2. The City Clerk is hereby directed to provide three

(3) certified copies of this resolution to the Secretary of the Issuer.

Yeas—Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann Schmidt and Worthington—8.

Nays—None.

Abstentions—None.

Resolution declared adopted.

STATE OF MICHIGAN)
COUNTY OF INGHAM) SS.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 21st day of October, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

RITA M. BAUMAN,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0494

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-6-85, on property at the northwest corner of Edgewood Boulevard and S. Cedar Street; and

Whereas, Fox and Associates, Inc., has applied for a Commercial Facilities Exemption Certificate for construction of a new facility at the northwest corner of Edgewood Boulevard and S. Cedar Street; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on Fox and Associate's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-6-85; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, November 12, 1985 at 7:00 pm. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION #0495

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-9-85, on property at 232 S. Capitol Avenue; and

Whereas, the Accident Fund of Michigan, has applied for a Commercial Facilities Exemption Certificate for renovation of an existing facility at 232 S. Capitol Avenue; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on the Accident Fund's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all person interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-9-85; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, November 12, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION #0496

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-9-85, on property at 232 S. Capitol Avenue; and

Whereas, the Accident Fund of Michigan, has applied for a Commercial Facilities Exemption Certificate for a new facility at 232 S. Capitol Avenue; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on the Accident Fund's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-9-85; and

Be It Finally Resolved that such hearing shall be

held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, November 12, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION #0497

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established and amended Lansing Industrial Development Districts IPR-1-81 and IPR-4-78, at property commonly known as 1800 and 1818 Bassett Avenue; and

Whereas, Cameron Tool Corporation has applied for an Industrial Facilities Exemption Certificate for expansion of the facility and new equipment to the facility; at 1800 Bassett Avenue; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on Cameron Tool's application for an Industrial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved, that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Plant Rehabilitation District IPR-1-81 and IPR-4-78; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, November 12, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION #0498

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Industrial Plant Rehabilitation District IPR-6-85, proposed by Speaker-Hines & Thomas, Inc. for 3366 Remy Drive and more particularly described as:

Lots 3, 4, 5, 6, and 7 of the Plat of Lantex Industrial Park, a subdivision of a part of the NW ¼ of Section 5, T4N, R2W, City of Lansing, Ingham County, State of Michigan, according to the recorded plat thereof.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any

objections they may have to such proposed District; and

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 12th day of November, 1985, at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation in said City.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON ECONOMIC DEVELOPMENT—

RESOLUTION #0499

RESOLUTION SETTING HEARING DATE
(Fox Development Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan held at 7:00 o'clock p.m., Michigan Time, on October 21, 1985, at which the following members were present:

Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, and Worthington, and the following were absent: none

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Belen:

Whereas, this City Council has heretofore approved a Project Area and established a Project District Area for the Fox Development Project (the "Project") of the Economic Development Corporation of the City of Lansing (the "Issuer"); and

Whereas, Section 17 of Act No. 338 of the Michigan Public Acts of 1974, as amended, (the "Act") and Temporary Treasury Regulations Section 5f.103-2 require that in order for bonds to be issued by the Issuer to assist in the financing of the Project, this City Council conduct a public hearing, after notice, and approve the issuance of bonds, all as provided in the Act and Temporary Regulations; and

Whereas, this City Council wishes to set a date for a public hearing on a Project Plan for the Project prepared by the Issuer.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, as follows:

1. A public hearing upon the issuance of bonds in the aggregate face amount not to exceed \$4,975,000 and the Project Plan for the Project shall be held at 7 o'clock, p.m., Michigan Time, on the 12th day of November, 1985, in the City Council Chambers, 10th Floor, City Hall, in the City of Lansing, County of Ingham, State of Michigan. At such hearing, the City Council of the City of Lansing shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for the expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the proposed bond issue and the Project Plan. The governing body shall make and preserve a record of the public hearing, including all data presented thereat.

2. The City Clerk is hereby requested to publish, post, and mail notice of such hearing, such notice to

be substantially in the form attached hereto, in accordance with Section 17 of the Act and Temporary Treasury Regulations Section 5f.103-2.

3. The City Clerk is hereby directed to forward three (3) certified copies of this resolution to the Secretary of the Issuer.

4. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

Yeas—Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann Schmidt and Worthington—8.

Nays—None.

Abstentions—None.

Resolution declared adopted.

STATE OF MICHIGAN)
COUNTY OF INGHAM) SS.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 21st day of October, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

RITA M. BAUMAN,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

NOTICE OF PUBLIC HEARING
CITY COUNCIL OF THE CITY OF LANSING
PROJECT PLAN FOR THE ECONOMIC
DEVELOPMENT CORPORATION OF THE CITY
OF LANSING—FOX DEVELOPMENT PROJECT
AND ISSUANCE OF LIMITED OBLIGATION
REVENUE BONDS

Notice is hereby given that the City Council of the City of Lansing will hold a public hearing at 7 o'clock, p.m., in the City Council Chambers, 10th Floor, City Hall, Lansing, Michigan, on the 12th day of November, 1985, on a Project Plan prepared by The Economic Development Corporation of the City of Lansing for its Fox Development Project (the "Project"). The Project is to be initially owned, operated and managed by and undertaken for the benefit of Cedar Street Associated Limited Partnership, a Michigan limited partnership.

The Project consists of the acquisition, construction and equipping of an approximately 75,000 square foot shopping center, including parking, and the site therefor, to be located on presently vacant land in the northwest quadrant of the intersection of Cedar Street and Edgewood Blvd., City of Lansing, County of Ingham, Michigan.

The location of the Project Area and the Project District Area in relation to highways, streets, streams or otherwise is indicated in the Project Plan.

Maps, plats, and a description of the proposed Pro-

ject Plan, including the method of relocating families and individuals who will be displaced from the area, if any, are available for public inspection at the office of The Economic Development Corporation of the City of Lansing, located on the 9th Floor, City Hall, Lansing, Michigan. All aspects of the proposed Project Plan will be open for discussion at the public hearing, including the proposed issuance of limited obligation revenue bonds in the maximum principal amount of \$4,975,000 by The Economic Development Corporation of the City of Lansing to assist in financing the Project. The Project Plan contains further information about the issuance of such bonds and the financial parameters of the proposed bond issue.

The City Council will consider the approval of (i) the Project Plan and (ii) the proposed bond issue only after the public hearing has been completed.

The City Council of the City of Lansing shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the proposed Project Plan and the proposed bond issue.

RITA M. BAUMAN,
Clerk, City of Lansing

Published, posted and mailed to property owners of record within the Project District Area.

By PUBLIC PROPERTIES & SAFETY—

RESOLUTION #0500

Resolved by the City Council of the City of Lansing:

Whereas, the Committee on Public Properties & Safety has carefully considered the proposal to open the 100,200 and 300 blocks of South Washington Avenue, and

Whereas, the business people have shared their concerns and insights on the administration's recommendation to open the South Washington Mall on a limited basis, now

Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially approves the concept of opening the 100, 200 and 300 blocks of South Washington Avenue to reduced speed two way traffic from 6:00 pm. to 8:00 a.m. on weekdays as well as weekends and all City holidays, and

Be It Further Resolved the council approves the installation of attractive sliding redwood gates (scheme #1) on each of the three blocks to prevent through traffic during regular daytime parking system hours, and

Be It Finally Resolved, the Council hereby requests detailed plans and accurate cost estimates from the administration be brought back to this body for final approval.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt—7.

Nays: Councilman Worthington—1.

By HUMAN SERVICES & INTERGOVERNMENTAL RELATIONS—

RESOLUTION #0501

Resolved by the City Council of the City of Lansing:

Be It Resolved, that the Committee on Human Services and Intergovernmental Relations confirms the appointment of Mr. Clyde Carnegie to the At Large position on the Human Resources Board for a term to expire June 1986.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

RESOLUTION #0502

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing is submitting a grant application for funds available from the State of Michigan Equity Funds; and

Whereas, this year the City must prepare an application and compete for the funds rather than the funds being allocated as they were last year;

Now, Therefore, Be It Resolved the funds be allocated in the application and in the event of the award of the grant as follows:

1. Assisting the Board of Water and Light to construct a floating fountain in the Grand River by the Ottawa Street Power Plant—\$50,000.

2. Michigan Farmyard display at Potter Park Zoo—\$80,000.

3. Approach to the Capitol—\$215,000.

4. Library—computer equipment and books for adults whose reading skills are not that of the average person—\$30,000.

5. Art Groups—amount to each group to be determined by formula. The groups include:

Impression V
Boarshead Theater
Arts Council Center
Lansing Symphone Orchestra
Lansing Art Gallery
R. E. Olds Museum
Opera Company of Mid Michigan—\$70,000

6. Grant Program for Art Groups not included in the previous group—\$10,000.

7. Reconstruction of Michigan Avenue Bridge railing—the final plans to be reviewed by City Council—\$35,000.

8. Banners for Downtown—\$5,000.

9. Lansing Lyric Opera—\$5,000.

for a total amount of \$500,000.

By COUNCILMAN LINDEMANN—

That the resolution be amended as follows:

That in item #7 the word "reviewed" be changed to read "approved" and after the words "City Council"

add the wording "and the Committee on Public Property and Safety".

Carried.

By COUNCILMAN LINDEMANN—

That the resolution be further amended as follows: That in item #9 the "Lansing Lyric Opera" be changed to read "The Women's Hall of Fame".

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved;

\$3,500.00 from Gen. Admin. Reserve for Contingency
A/C 101-941-000-963

\$3,000.00 to City Council-Community Promotions
A/C 101-101-000-880

(provide funding for reprinting of "Lansing, The Home Town" brochure)

\$1,500.00 from Reserve for Contingency
A/C 101-941-000-963

\$1,500.00 to Gen. Admin.-City Special Expenses
A/C 101-930-000-962

(contribution toward costs of Convention and Visitors Bureau parade float construction project)

I hereby certify that this is a properly drawn and eligible transfer.

JAN LAZAR,
Budget Director.

APPROVED:

JAMES BLAIR
PATRICK LINDEMANN
TONY BENAVIDES
Ways and Means Committee

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

\$26,000.00 from Gen. Adm. Reserve for Contingency
A/C 101-941-000-963

\$26,000.00 to Admin.-Central Garage Vehicles
A/C 101-222-000-985

(Funding for purchase of 2 additional unmarked police cars and 1 pool executive loaner vehicle)

I hereby certify that this is a properly drawn and eligible transfer.

JAN LAZAR,
Budget Director

APPROVED:

JAMES BLAIR
TONY BENAVIDES
PAT LINDEMANN
Ways and Means Committee

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinance(s) of the City of Lansing, Michigan providing that the code of ordinances be amended by:

Revising Sections 30-2 and 30-3 of the Lansing Code of Ordinances to provide requirements for the issuance of Taxicab licenses was introduced by Councilman Worthington read a first and second time by its title(s) and referred to the Committee on General Services.

By COUNCILMEMBER WORTHINGTON—

RESOLUTION #0503

Resolved by the City Council of the City of Lansing

That a public hearing be held on October 28, 1985 at 7:00 o'clock P.M. in the City Council Chambers, 10th Floor, City Hall for the ordinance to amend Section: 30-2 and 30-3 of the Lansing Code of Ordinances to provide requirements for the issuance of Taxical Licenses.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER LINDEMANN—

Resolved by the City Council of the City of Lansing

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing

Whereas, the Uniform Fire Code provides that the Fire Department shall perform inspections of installations and reinstallation of combustible liquids tanks, liquified petroleum gas containers, fire suppression systems, and Central Station alarm systems, and may charge a fee for these inspections; and

Whereas, the Mayor and City Council have reviewed the need for this service, and deem it important to the public welfare; and

Whereas, the Finance Department, Fire Department, and Building Safety Division of the Planning and Municipal Development Department have determined the costs to be incurred by the City in provision of these services; and

Whereas, the cost of inspecting combustible liquids tanks and liquified petroleum gas containers is \$45 and the cost of inspecting fire suppression systems and Central Station alarm systems is \$70;

Now, Therefore, Be It Resolved, that these costs be established as the permit fee for installation or reinstallation of the applicable systems; and

Be It Further Resolved, that these fees be collected by the Building Safety Division of the Planning and Municipal Development Department and that they be adjusted annually at the time of budget adoption to reflect actual cost of service delivery.

By COUNCILMEMBER LINDEMANN—

That this resolution be referred to the Committee on General Services.

Carried.

REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

Commented on news releases this week regarding new traffic light at intersection of Logan St./Mary Ave./Cavanaugh Rd. to go into effect. Also the No-Turn on Right to be removed for a 120 trial day trial period on Logan/Holmes/and Logan/Jolly Rd. Area.

North St. would be closed due to railroad track repair.

Hilliard Interceptor Sewer and Red Cedar Interceptor update.

Street closings for the week announced.

REMARKS BY THE CITY COUNCIL

Councilmember Lindemann requested answers from administration regarding Diamond-Reo Site.

Councilmember Adado questioned operating expenses regarding Civic Center and Exhibition Center.

Councilmember Benavides reminded the public of the 40th Anniversary Celebration for the United Nations to be held at 12 noon on Thursday.

Councilmember Blair commented on the honor bestowed to former assistant City Attorney Bonnie Toskey by the River Forest Neighborhood Association.

Robert Lookingbill, 521 W. Shiawassee St., spoke regarding the new Taxicab Ordinance.

Glenn Freeman, President, of Lansing AFL-CIO spoke regarding Teamster Contract and Union dues of certain city employees.

By COUNCILMEMBER CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:25 P.M.

RITA M. BAUMAN,
City Clerk.

October 21, 1985
Lansing, Michigan

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

Proceedings, October 28, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

October 28, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Adado.

Pledge of Allegiance.

HEARING ON PROPOSED CHANGE IN ZONING CLASSIFICATION

October 28, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983 said proposed amendment being as follows:

That the property described as:

Z-24-85—2420 N. Grand River Avenue to be rezoned from "A" Residential District to "G-2" Wholesale District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment(s).

Referred to the Committee on Physical Development.

PUBLIC HEARING

October 28, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Project plan for the Snell Environmental Group, Inc. Project and Issuance of

Limited Obligation Revenue Bonds. (1120 May Street).

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed project plan and issuance of limited obligation revenue bonds they will have the privilege of speaking at this time.

No person spoke.

Referred to the Committee on Economic Development.

October 28, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Ordinance to amend Section 30-2 and 30-3 of the Lansing Code of ordinances to provide requirement for the issuance of Taxicab Licenses.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed ordinance amendment they will have the privilege of speaking at this time.

Richard Jury, Manager of Spartan Cab Co., spoke.

Joyce Roat spoke in favor of Ordinance change.

Glenn Tarrant spoke in favor of Ordinance change.

Roger Cooley, Delhi Twp. resident, spoke in favor of Ordinance change.

Theodore W. Swift, Attorney, representing Yellow Cab Co. spoke.

Christ Bergstrom, Attorney representing Spartan Cab Co. spoke.

Referred to the Committee on General Services.

Mayor McKane presented the following Proclamation and Certificates to sixty members of the Neighborhood Watch organizations of the City of Lansing.

PROCLAMATION

Whereas: Our community's greatest resource is its people; and

Whereas: Neighborhood Watch organizations that have been established, demonstrate the fact that com-

munity spirit helps immeasurably in making crime prevention effective; and

Whereas: With the cooperation and assistance of the Lansing Police Department, safeguarding life and property of citizens is a major concern; and

Whereas: The citizens honored here tonight have performed exemplary services in the area of crime prevention.

Now, Therefore, I, Terry J. McKane, Mayor of the City of Lansing, by the power vested in me, do hereby urge all citizens to join with me in applauding the dedicated service of these individuals to their neighborhoods.

Given under my hand and the Seal of the City of Lansing this nineteenth of September in the year of Our Lord one thousand nine hundred and eighty-five.

TERRY J. MCKANE,
Mayor.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting Awards to two young men.

Carried.

Council President Creamer presented certificates to two fifteen-year-old young men, Steve Rairigh and Jason Newhart for assisting in apprehending an escaped prisoner.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

Beer and Wine transfers—Qualairy, Toolan's

Referred to the Committee on General Services.

Claims filed by:

a. Rhonda G. Floyd, 1623 Amberina Dr., for reimbursement of cost of shoes damaged in a fall at corner of Ionia and Capitol Ave.

b. James Amos, 3232 Bardaville #13, for replacement of automobile windshield which was cracked by rock from a wheel of a city truck.

c. Rodney R. Renshaw, 4710 Allison Dr., for payment of ambulance fees due to 911 ambulance not being available.

d. Paul Pavlica regarding trash pick-up and assessment for 1241 Clark St.

Referred to the Mayor and City Attorney.

Letter of appreciation from Dale E. Main, President, Central Michigan Classic Cruisers, for permission to close-off Willow Street for their fifties dance.

Received and placed on file.

Letters and petitions protecting pit bull dog fighting received from the following people in Saginaw, MI area:

- a. Brian Muladore
- b. Jill Krupp
- c. H. Ann Boissonneault
- d. Jerry Kent
- e. Lynn Niemi
- f. Mr. and Mrs. William H. Prueter
- g. Mrs. Stephenine McMillon
- h. Constance J. Luchenbill of Gladwin, MI.

Referred to the Mayor.

Michigan Public Service Commission submits notice of public hearing in the matter of the compliance application of Consumers Power Co. for a determination concerning disposition of Midland nuclear fuel.

Received and placed on file.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Mayor's letters 4a (Crime Prevention Award Presentations), 4b (Award for Distinguished Budget Presentation from Government Finance Officers Association), 4c (Treatment Works Grant Step 3, C262795-04), 4d (Odor Control at the Wastewater Treatment Plant), 4n (Construction of Industrial Access Road (North Lansing) and 4o (Bridge Rehabilitation Projects—State of Michigan Critical Bridge Program).

Mayor McKane presented award for Distinguished Budget Presentation from Government Finance Officers Association to Budget Director, Jan Lazar.

REPORT OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

Beer and wine carry-out licenses—Toolan's and Quality Dairy Co.

Signed:

SIDNEY WORTHINGTON
ALFREDA SCHMIDT
CHARLES CREAMER
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

October 23, 1985

President Charles Creamer
and Members of City Council

RE: Claim of John D. McDonough in the amount of \$65.00

Dear President Creamer
and Members of City Council:

On August 20, 1985 John D. McDonough filed this claim for damage to his suit trousers at the Civic Center in the amount of \$65.00. Mr. McDonough claims his trousers were torn when he brushed against a table set up for a seminar he attended at the Civic Center; and specifically that a sharp, spike-like extension protruded from the table edge.

Mr. Darrell Askie, Interim Civic Center Manager, was contacted directly by the Claimant. Mr. Askie believes that a staple was probably left in the table from a table shirt, and never removed when the tables were set up for the Claimant's seminar. The damage has been determined to be avoidable if City employees would have taken greater care in the performance of their duties. It was Mr. Askie that recommended Mr. McDonough have the slacks repaired, rather than claim the cost of a new suit.

This office did a phone survey and determined the actual cost of repair was reasonable, with estimates ranging from \$35.00 to over \$200.00.

Pursuant to the *Ross v Consumers Power* decision, the operation of a conference center may fall within the category of a governmental function to which immunity from liability for negligent acts is extended. Never-the-less, in cases such as this where the cause of the damage is clear, and preventable by reasonable employee care, it has been the City's practice to pay the claims.

Therefore, it is the recommendation of this office that this claim be granted.

Respectfully submitted,

STEPHEN SAWYER,
City Attorney.

By COUNCILMAN BENAVIDES—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of \$65.00 payable to John D. McDonough.

Carried.

October 23, 1985

President Charles Creamer and
Members of Lansing City Council

RE: Claim of Irene Rivera for Vehicle Damage in the amount of \$1,130.00

Dear President Creamer and
Members of Lansing City Council:

City Council received a claim from Irene Rivera on October 7, 1985 for damage to her vehicle in the amount of \$1,130.00. Claimant states she was driving

south on Capitol Avenue on October 1, 1985 when a metal plate covering a construction pit moved, causing her car to fall into the hole, causing \$1,130.00 in damage to her vehicle.

The Public Service Department investigated the claim and determined that the State of Michigan was having a communications cable installed at that location by AT&T, who in turn had subcontracted the work to two other agencies, Harris McBurney and Michigan Trenching Service, Inc. A copy of the claim has been referred to the State Department of Management and Budget, Telecommunications Division, for its review and resolution.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

Received and placed on file.

October 25, 1985

President Charles Creamer and
Members of Lansing City Council

RE: Claim of Alvoelino Rodriguez

Dear President Creamer and
Members of City Council:

On July 5, 1985 a claim was filed in the amount of \$176.40 for damage to the front door of an apartment located at 1135 S. Grand Avenue, which structure is owned by the claimant and rented out. Claimant states that some time around May 1, 1985 the door to the apartment located at 1135 S. Grand Avenue was forcibly opened by Lansing Police officers executing a valid search warrant.

After discussions with the claimant and the claimant's homeowners insurance agent, the claimant has decided to pursue this matter with his homeowners insurance company.

Therefore at this time no further action need be taken by City Council in this matter.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and no further action needs to be taken by City Council.

Carried.

October 24, 1985

President Charles Creamer
and Members of City Council

RE: Claim of Sarah West in the amount of \$104 plus medical expenses

Dear President Creamer
and Member of City Council:

On June 11, 1985 Sara West submitted a claim for damaged slacks and medical treatment in the amount of \$26.00 and \$78.00 respectively, total amount of

\$104.00 Claimant states that on May 26, 1985 while attending the festival at Riverfront Park at approximately 5:30 p.m. she got up to leave. The jagged edges on the end of the bleacher where she was sitting dug into the back of her right thigh, tearing her slacks and ripping her skin. She sought and received treatment at St. Lawrence Emergency where she was given a tetanus shot and antibiotics against possible infections. Claimant also indicates that she reported the incident to the nearest police officer and later to the Parks and Recreation Department.

The Division of Parks and Recreation of the Public Service Department indicates that apparently an aluminum cap which fits over the end of the seat plank was bent out. There is not any prior notice on record of when the damage occurred to the seat plank. The bleacher is the property of the Parks and Recreation Department. Repairs were made to the bleachers the day after the incident was reported to the department.

A municipality is immune from tort liability for injuries arising out of the exercise or discharge of a nonproprietary governmental function. MCLA 691-1407. Any activity which is expressly or impliedly mandated or authorized by constitution, statute or other law is included as governmental function and therefore immune from tort liability. *Ross vs. Consumer Powers*, 420 Mich 567 (1984). Establishing and maintaining public parks to provide recreation and leisure services for the City is mandated and authorized by the Lansing City Charter Section 4-301 and 4-305. Therefore under both statutory authority and recent case law governmental immunity is applicable to this instance.

Therefore, though it is clear that the Claimant was injured due to the condition of the bleachers, it is the recommendation of this office that this claim be denied as a legal matter based on governmental immunity.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN BENAVIDES—

That we do not concur in the recommendation of City Attorney and said claim be paid in the amount of \$104.00.

Lost by the following vote:

Yeas—Councilmember Benavides, Lindemann—2.

No—Councilmember Adado, Belen, Blair, Creamer, Schmidt, Worthington—6.

October 28, 1985

President Charles Creamer and
Members of Lansing City Council

Dear President Creamer and
Members of Lansing City Council:

As you are aware, Ms. Bonnie G. Toskey recently left this office to go into private legal practice with the law firm of Cohl, Salstrom, Stoker & Asseltine, P.C.

While she was with this office, her duties included representing the City in Worker's Compensation matters.

Although responsibility for most of the matters she handled has been transferred to other attorneys, none of the worker's compensation cases are sufficiently advanced in preparation that it is advisable that Ms. Toskey should be retained to complete them. Attempting to transfer the file to another attorney would lead to duplication of effort and might jeopardize the City's legal interests.

To permit Ms. Toskey to complete these matters, this office recommends that the City retain the law firm of Cohl, Salstrom, Stoker & Asseltine, P.C., which will assign Ms. Toskey to this matter at a rate of \$75.00 per hour.

Your expeditious approval of this recommendation is requested.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and retain Ms. Bonnie Toskey of this law firm to represent the city in the nine worker's compensation cases currently being considered.

Carried.

DATE: 10/18/85

TO: President Creamer and Members, Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application—Veterans Day

Attached is an application for a Veterans Day Parade, scheduled for 8:00 PM on Monday, November 11, 1985, which has been approved by all the necessary departments.

Our personnel estimate this will cost the City a total of \$497.04, which represents one Sergeant, ten Police Officers and eleven vehicles for two hours.

This is being sent to you for final action.

By COUNCILMEMBER BENAVIDES—

That said parade application be approved having received all the required signatures.

Carried.

October 15, 1985

Charles M. Creamer, President
Lansing City Council

Dear President Creamer:

On July 30, 1985, Governor Blanchard approved Act No. 104 and 108 of the Public Acts of 1985. Since both of these bills deal with budgetary matters and are concerned with judicial salary standardization payments made to district control units (City of Lansing), I thought it important to make certain that you are aware of them. I have enclosed a copy of a memorandum that was sent by the Supreme Court to each district control unit in the State, among others, for further explanation.

Please note the January 1, 1986 effective date of the \$485 increase in the judicial salary standardization payment and the June 1, 1986 effective date of the \$6,270 subsequent increase. The law requires that the increased amount be paid by the district control unit to the judges in order for the district control unit (City of Lansing) to receive any of the standardization payment.

If you have any questions concerning this matter, please feel free to contact me.

Sincerely,

CHARLES F. FILICE,
Chief District Judge

Received and placed on file.

DATE: 10/23/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director of Public Service

RE: Treatment Works Grant Step 3, C262705-04

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. MCKANE,
Mayor.

Received and placed on file—Resolution 4b on
agenda.

DATE: 10/24/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Public Service Department

Re: Odor Control at the Wastewater Treatment
Plant

The attached correspondence is submitted for your
information.

TERRY J. MCKANE,
Mayor.

Received and placed on file with copy to the River
Forest Neighborhood Association.

DATE: 10/24/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning & Municipal Development

RE: Grass Cutting Assessment for L-27
December 1985 Tax Roll \$570.00

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. MCKANE,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the
Mayor and said assessments be placed on the
December 1985 tax roll.

Carried.

DATE: 10/24/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning & Municipal Development

RE: Request for rezoning of property located at 2801
North Grand River Ave., Z-26-85

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Physical Develop-
ment.

DATE: 10/24/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning & Municipal Development

RE: Request for Public Hearing re: Property located
at 5912 Pheasant

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. MCKANE,
Mayor.

By COUNCILMEMBER LINDEMANN—

That we concur in the recommendation of the
Mayor and a public hearing be set for November 25,
1985 in the 10th Floor, City Council Chambers.

Carried.

DATE: 10/24/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning & Municipal Development

RE: Request for Public Hearing re: Property at 6420
Hilliard Road

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER LINDEMANN—

That we concur in the recommendation of the Mayor and set a public hearing for November 25, 1985 for 6420 Hillard Rd.

Carried.

DATE: 10/24/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development

RE: Z-25-85, 4945 and 5005 Eastlawn 2500 Block of Jolly Road

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to Committee on Physical Development.

DATE: 10/24/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development

RE: ACT-31-85, 401 Verlinden, Use of Public Right-of-Way by B.O.C., General Motors Corporation

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to Committee on Public Properties and Safety.

DATE: 10/24/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development

RE: ACT-29-85

Request from Lansing General Hospital to lease a portion of public right-of-way along the street frontage at 2912 Alpha Street.

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to Committee on Public Properties and Safety.

DATE: 10/24/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development

RE: Community Development Block Grant Needs Fiscal Year 1986 to 1987 (12th Year) Capital Development Fiscal Years 1986 to 1991

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to Committee on Physical Development.

DATE: 10/24/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning & Municipal Development

RE: Act 32-85 Vacation of Washtenaw St. Right-of-Way between Sycamore and Butler

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to Committee on Public Properties and Safety.

DATE: 10/24/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Planning Director and City Engineer

RE: Construction of Industrial Access Road (North Lansing)

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to Committee on Public Properties and Safety.

DATE: 10/24/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Michigan Department of Transportation

RE: Replacement and Rehabilitation of Bridges for funding under State and/or Federal Critical Bridge Program (Michigan Avenue/M.C.C.R. Shiawassee St./Grand River)

The attached correspondence is submitted for your information.

TERRY J. MCKANE,
Mayor.

Received and placed on file.

DATE: 10/23/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from the Finance Director

RE: Transfer of funds

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE,
Mayor.

Referred to Committee on Ways and Means.

RESOLUTIONS

By COMMITTEE ON GENERAL SERVICES—

RESOLUTION #0504

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department, determined that the building located at 1017 West Kalamazoo legally described as:

1017 West Kalamazoo, The West ½ of Lot 9, Block 9 of Bush, Butler and Sparrow's Addition, City of Lansing, Ingham County

Was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Board on August 22, 1985, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on October 14, 1985, to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building; and

Be It Further Resolved that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within thirty (30) days from the date of this resolution; and

Be It Further Resolved that, should the owner fail to substantially comply with the Hearing Officer's order for demolition or otherwise make safe, the Director of the Department of Building Safety and Development is hereby directed to proceed with demolition of said building; and

Be It Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Finally Resolved that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

RESOLUTION #0505

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department, determined that the building located at 530 South Chestnut legally described as:

530 South Chestnut, N2R of E6 R Lot 6, Block 145 Original Plat

Was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Board on August 22, 1985, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on October 14, 1985, to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building; and

Be It Further Resolved that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution; and

Be It Further Resolved that, should the owner fail to substantially comply with the Hearing Officer's order for demolition or otherwise make safe, the Director of the Department of Building Safety and Development is hereby directed to proceed with demolition of said building; and

Be It Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Finally Resolved that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By COUNCILMAN ADADO—

RESOLUTION #0506

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District CRD-11-85, proposed by M&D Associates I for 208 N. Capitol Avenue and more particularly described as:

Lot 8 except the West 72 feet of the South 2 feet, and all of Lot 9, Block 96, Original Plot of the City of Lansing, Ingham County, Michigan.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District; and

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 18th day of November 1985, at 7:00 p.m., and that notice of such hearing be published in a publication of general circulation in said City.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

RESOLUTION #0507

Resolved by the City Council of the City of Lansing:

Whereas, there has been an inordinate amount of road work sewer work and general construction around the City this construction season; and

Whereas, certain businesses were seriously impacted this construction season as a direct result of inadequate notice of construction activities as well as lack of supervision of on-going projects;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially recommends, as city policy for the 1986 construction season, all construction requiring road closures detours on the closing of traffic lanes within the City be approved and closely supervised by the Department of Public Service; and

Be It Further Resolved, all business establishments which will be affected by City construction activities shall be notified at least seven (7) days prior to commencement of same, allowing properties time to plan for the inconvenience.

By COUNCILMAN BLAIR—

That the wording in the first line "inordinate amount" be changed to read "great deal".

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

RESOLUTION #0508

Resolved by the City Council of the City of Lansing:

Whereas Monday November 11th is designated as an official holiday for the employees of the City of Lansing, and

Whereas City Hall will be closed on November 11th for the observance of Veterans Day, now

Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially reschedules the November 11th meeting of the City Council to Tuesday November 12th at 7:00 p.m. in the City Council chambers.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

RESOLUTION #0509

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has received a Grant Offer, C-262705-04-0, from the United States Environmental Protection Agency and the State of Michigan for a Step 3 Wastewater Treatment Plant and Sanitary Sewer System Improvements.

The Grant (Segment III) includes the following projects:

Wastewater Treatment Plant Improvement;
—84-S-1, 84-S-5 & 84-S-6

Sewer System Rehabilitation—84-S-2

Mayor Interceptor Rehabilitation—84-S-3

Red Cedar Sewer Rehabilitation—84-S-4

In accordance with the MDNR's approved construction permit and the State approved final design drawings and specifications for the City of Lansing.

The total project cost as submitted to MDNR is estimated at \$36,638,020, which includes at 10% contingency for construction cost. The grant as offered is in the amount of \$29,890,540, which includes at 1.8% contingency for construction cost.

The Federal share of eligible costs is \$22,995,514, and the City of Lansing share of cost for the grant eligible cost is \$6,895,026. Funds are available within account 591-520-003-963 for the City's share of the cost.

Now Therefore, Be It Resolved that the City of Lansing hereby accepts the Grant Offer in the amount stated above, and that Howard G. McCaffery, Director of Public Service is authorized to sign the acceptance on behalf of the City as the designated authorized representative for the City of Lansing.

Be It Further Resolved that the City Controller is authorized to establish the necessary fiscal accounts with appropriate funding amounts for proper accounting purposes during the life of the Grant.

By COUNCILMEMBER BLAIR—

That we strike the last paragraph starting with "Be It Further Resolved."

Carried.

The resolution as amended by adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

RESOLUTION #0510

Resolved by the City Council of the City of Lansing:

Whereas, Mr. Donald Hartwick was interviewed by the Committee on General Services; and

Whereas, the Committee voted unanimously to confirm his appointment to the Demolition Board as recommended by the Mayor;

Now, Therefore, Be It Resolved that the Mayor's appointment of Donald Hartwick to the Demolition Board is hereby confirmed. (No expiration date).

By COUNCILMEMBER WORTHINGTON—

That we concur in the recommendation of the Mayor's appointment.

Carried.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$8,591.00 from Reserve for Contingency

A/C 101-941-000-963

\$8,591.00 to Admin. Services Property Mgmt.-Prof. Maint.

A/C 101-265-000-931

(Additional needed due to higher than anticipated bids received for Police Dept. women's locker room construction.)

\$4,200.00 from Reserve for Contingency

A/C 101-941-000-963

\$4,200.00 to L.P.D. Admin. Div. Equip.

A/C 101-305-000-977

(provide funding for 20 padded stacking chairs, 12 conference chairs, 1 conference table, & picture of Mayor & Council for Police Conference Room).

Balance remaining in the Reserve for Contingency Fund after these transfers if \$424,742.00.

Recommended by:

JANET LAZAR,
Budget Director.

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

APPROVED:

JAMES BLAIR
TONY BENAVIDES
PAT LINDEMANN
Ways and Means Committee

Adopted by the following vote:

Unanimously.

By COUNCILMEMBERS SCHMIDT, ADADO
AND WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Request for non-Profit status resolution received from the Opera Co. of Mid-Michigan.

Referred to the Committee on General Services.

Lois E. M. Castle submits letter for reimbursement of damages for automobile resulting from construction on Clippert St.

Referred to the Mayor and City Attorney.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION #0511

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on July 18, 1985 this Council was petitioned to establish a Lansing Commercial Redevelopment District CRD-8-85, pursuant to Public Act 255 of 1978; and

Whereas, due notice has been given for a public hearing on said petition; and

Whereas, at such hearing held on the 19th day of August, 1985, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is located at 111 S. Capitol Avenue, Lansing, Michigan, more particularly described as:

Lots 4 and 5 and the West 22 feet of Lot 3, also part of vacated S. Capitol Avenue described as; Commencing at the Southwest corner of Lot 5, thence West 9 feet; thence North 61.166 feet; thence East 9 feet; thence South 61.166 feet to the point of beginning, Block 110, Original Plat of the City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof,

The North 114.125 feet of the West ½ of the East ⅓ of Lot 3, Block 110, Original Plat of the City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof,

The North 114.125 feet of the East ⅓ of Lot 3 and the South 22 feet of the East ⅓ of Lot 3, Block 110, Original Plat of the City of Lansing, Ingham County, Michigan, according to the recorded Plat thereof,

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for commercial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity.

Now, Therefore, Be It Resolved the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-8-85 on the above described property.

By COUNCILMEMBER ADADO—

That we excuse Councilmember Blair from voting on this resolution.

Carried.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

RESOLUTION #0512

Resolved by the City Council of the City of Lansing:

Whereas, the Board of Water and Light's attorney has resigned; and

Whereas, legal assistance is needed by the Board while a replacement is being sought;

Whereas, the City Attorney has recommended the use of the law firm of Dickinson, Wright, Moon, Van Dusen & Freeman to provide general assistance to the Board for the next 120 days; and

Whereas, the City Attorney has recommended approval of the law firm of Willingham, Cote', Hanslovsky, Griffith & Foresman, P.C. to represent the Board in connection with a dispute with the United States Environmental Protection Agency over the disposition of certain transformers; and

Whereas, the City Attorney has recommended the use of the law firm of Loomis, Ewert, Ederer, Parsley, Davis & Gotting to represent the Board of Water and Light in potential litigation regarding electrical service transfer fees.

Now, Therefore, Be It Hereby Resolved that the City Council approves the utilization of outside attorneys as above described, by the Board of Water and Light.

Adopted by the following vote:

Unanimously.

October 28, 1985

President Charles Creamer and
Members of Lansing City Council

Dear President Creamer and
Members of Lansing City Council:

By letter dated October 10, 1985 Mr. Roy Markey requested the City of Lansing to file an application with the Department of Natural Resources asking them to withhold certain properties owned by Mr. Markey from sale for 1981 taxes. That letter appeared on City Council's agenda on October 14, 1985. The letter was referred to this office for review and comment.

Review by this office indicates that Mr. Roy Markey owns sixty three parcels of real property which have been conveyed to the State due to unpaid 1981 property taxes and which are about to be sold if the taxes are not paid. Review of applicable statutes fails to disclose any provision specifying who must approve an application to withhold from sale for Mr. Markey's properties. Nevertheless, the Department of Natural Resources has advised this office that such a request must be approved by the City's governing body (City Council) before they will honor it. Such a procedure also comports with the City's past practices in dealing with such requests.

To allow Mr. Markey's properties to be withheld from sale, the application to withhold from sale must be approved by City Council and submitted to the Department of Natural Resources no later than next Monday, November 4, 1985.

To enable the City Council to grant Mr. Markey's request, should it decide to do so, this office has drafted a resolution which will authorize the application to withhold Mr. Markey's lands from tax sale if it is adopted.

If you have any questions regarding this matter or if we may be of further assistance, please feel free to contact me.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

Referred to the Committee on Ways and Means.

REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

Street closing for the coming week.

Sewer interceptor work update.

REMARKS BY THE CITY COUNCIL

Councilmember Benavides remarked on the policy of the Police Dept. regarding notification of next-of-kin for fatal traffic accidents.

Councilmember Schmidt made safety announcement for Halloween Trick or Treat night.

Councilmember Adado remarked about the Eastern/Sexton Football Game at Memorial Stadium on Friday night.

Councilmember Creamer reminded administration of parking problem which still exists on streets near Fisher Body.

Nancy Erickson, Lansing School Board member, congratulated City on observance for United Nations Day and spoke regarding Lansing School enrollment,

remarking that "Lansing Schools are Alive and Well".

By COUNCILMEMBER CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:00 P.M.

RITA BAUMAN,
City Clerk.

October 28, 1985
Lansing, Michigan

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

Proceedings, November 4, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

November 4, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Benavides.

Pledge of Allegiance.

PUBLIC HEARING

November 4, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Redevelopment District for Walter Neller Enterprises, Inc., 1322 E. Michigan Avenue.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed district they will have the privilege of speaking at this time.

Fred Aboud, Attorney representing petitioner, spoke.

Referred to the Committee on Economic Development.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Janet Bunge, spoke regarding her claim under Attorney's letter 1c.

Richard Jury, Spartan Cab Co., spoke on Taxicab Ordinance.

Theodore W. Swift, Attorney, representing Yank's Cab Co., spoke.

Chris Bergstrom, Attorney, representing Spartan Cab Co., spoke.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been received for licenses:

Health Club License: Body Action, USA.

Public Drivers: Donald Eugene Britten, John Stuart Malcolm, David Edward Shumaker, William Stuart Hanley, Robert L. McGruder, Gerald Lewis Fuller, Daniel J. Szymanski, Ingrid E. Reniger.

Taxicab Co.: Spartan Cab Co. (new) Yank's Cab Co.—7 additional taxicabs.

Cabaret: Hayloft

Referred to the Committee on General Services.

Claims filed by:

a. Annamae Dempsey, Holt, for automobile damaged by broken blacktop on city street.

b. Donald Feldpausch, 4001 Sheffield Blvd., for reimbursement of charges for storage of stolen motorcycle.

c. Thomas C. Champras, 107½ N. Cedar St., for property damaged by heavy construction equipment for sewers and Convention Center.

d. Arnold Henry, 1308 W. Ionia Street, for reimbursement of jacket lost by Police Department.

Referred to the Mayor and City Attorney.

Petition for Special Land Use SLU-19-85 for property located at 3000 Blk. E. Jolly Road to be used as a church filed by Living Word Outreach Center.

Referred to the Mayor and Planning Board.

Note of Thanks from the family of John Mutz, a former Alderman of Lansing.

Received and placed on file.

Michigan Liquor Control Commission submits re-

quest for a new 12 month Resort B-Hotel with Dance Permit, to be located at 6820 S. Cedar St., by Lansing-Clarion limited Partnership.

Referred to the City Clerk and Committee on General Services.

Applications filed for Commercial Redevelopment Districts by:

Norken Realty Co. for property located between and fronting on N. Larch and N. Cedar Sts. ½ blk. north of E. Saginaw St.

b. Sinn Fein, Inc. for property located at 212 S. Washington Ave.

c. Lewis Plumbing and Heating, for property at 900 Blk. Terminal Rd.

d. Kenneth B. Stockwell, for property at 301 South Washington Square.

e. Anthony T. Randall for property at 303 S. Washington Square.

Referred to the Committee on Economic Development.

Application for Commercial Facilities Exemption Certificate for Lyons Savings & Loan Association, 111 S. Capitol Avenue.

Referred to the Committee on Economic Development.

Letter from Atty. Mark Latterman representing JARCO for the offer to purchase the Diamond-Reo Site.

Referred to the Mayor.

Letters and petitions protesting pit bull dog fighting received from:

- a. Scott Hall
- b. David Merillat
- c. Mark Alan Novak
- d. Janine Weiler

Received and placed on file.

Robert S. Hall, 307 Smith, Ave., submits letter protesting sale of flowers on street corners within city.

Referred to the Mayor.

Touche, Ross and Co. submits copy of management letter from the Board of Water and Light.

Received and placed on file with copy to the Internal Auditor.

Michigan Sesquicentennial Commission submits letter of information to coordinate the celebration of Michigan's 150th anniversary of statehood January 26, 1987.

Referred to the Mayor.

Michigan Public Service Commission submits notices of public hearings for the applications of Consumers Power Co. for calendar year 1986 re:

a. Gas Cost Recovery Plan and authorization of monthly Gas Cost Recovery Factors.

b. Power Supply Cost Recovery Plan and for authorization of monthly Power Supply Cost Recovery Factors.

Received and placed on file.

MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

Mayor's letter 4b (Human Relations Board election of Officers.

REPORT OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

To whom was referred the Ordinance to amend Section 30-2 and 30-3 of the Lansing Code of ordinances to provide requirements for the issuance of Taxicab Licenses reports as follows:

That said ordinance be approved.

Signed:

SIDNEY WORTHINGTON
CHARLES CREAMER
ALFREDA SCHMIDT
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT—

To whom was referred the Ordinance for rezoning:

Z-24-85—2420 N. Grand River Ave. to be rezoned from "A" Residential District to "D-1" Professional Office District and "G-2" Wholesale District

reports as follows; That said rezoning be approved.

Signed:

LUCILE BELEN
TONY BENAVIDES
CHARLES CREAMER
Committee on Physical Development

By COUNCILMEMBER BELEN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

October 23, 1985

President Charles Creamer and
Members of Lansing City Council

RE: Claim of Leonard Esquina, Jr. for Vehicle
Damage in the amount of \$354.85

Dear President Creamer and
Members of Lansing City Council:

City Council received a claim from Leonard Esquina, Jr. on August 26, 1985 for damage to his vehicle in the amount of \$354.85. Claimant wrote that on August 15, 1985 he unknowingly drove over a two foot mound of cement and asphalt in the exit lane of the parking lot at Grand and Kalamazoo Street, causing damage to his undercarriage in the amount of \$354.85.

The Public Service Department investigated the claim and determined that a major resurfacing project was underway at that time on Grand Avenue, and that the parking lot at Grand and Kalamazoo Streets was affected. A copy of the claim has been forwarded to the contractor, Eastlund Concrete, for its review and resolution.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be sent to Eastlund Concrete for resolution.

Carried.

October 23, 1985

President Charles Creamer and
Members of Lansing City Council

Re: Claim of Dorothy Dowling for Vehicle Damage
in the amount of \$66.00

Dear President Creamer and
Members of Lansing City Council:

On September 3, 1985, City Council recieved a claim from Dorothy Dowling for \$66.00. The claimant stated that her 1984 Toronado was sprayed with some type of substance on August 9, 1985 while parked at 3620 S. Waverly Road. Road construction was in progress on Waverly Road at the time. The spray substance could not be removed through normal cleaning methods, and claimant ultimately had the substance removed at the Story Oldsmobile body shop for \$66.00.

The Public Service Department investigated the claim and determined the work was being done at that site by a contractor, Dunigan Brothers of Jackson. A copy of the claim has been sent to the contractor for its investigation and resolution.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be sent to the contractor for resolution.

Carried.

October 31, 1985

President Charles Creamer and
Members of Lansing City Council

RE: Claim of Janet Bunge for
Vehicle Damage in the Amount of \$299.32

Dear President Creamer and
Members of the Lansing City Council

On October 9, 1985 Janet Bunge submitted a claim in the amount of \$299.32 for damages to her motor vehicle. Claimant states that she was on her way to work on October 8, 1985 at approximately 7:15 a.m. when she hit a very large piece of steel. Claimant states that she then pulled into a parking lot and spoke to a City employee.

Public Service Department reports that a City owned vehicle had just left Washington Park after performing cutting, leaf removal and maintenance. A second City vehicle following a few minutes later came upon the leaf remover lying on Washington Street. The second City vehicle actually struck the leaf remover prior to pulling over to the side of the road to retrieve it. Claimant's vehicle following behind the second City vehicle also struck the leaf remover before pulling off the side of the road.

A municipality is immune from tort liability in all cases when it is engaged in the exercise or discharge of a governmental function. MCLA 691.1407. The maintenance and operation of a City park is expressly mandated by the City Charter 4-304. Activities expressly mandated by constitution, statute or other law and being of a non-proprietary nature are immune from tort liability. Ross v. Consumers Power, 420 Mich 567(1984). In addition, a municipality is liable for damages in the case of defective highways where the governmental agency knew or in the exercise of reasonable diligence should have known of the defect and had a reasonable time to repair the defect. MCLA 691.1403. In this particular instance the leaf remover was in the street for just a few minutes before it was discovered. As soon as the leaf remover was discovered the City crew had pulled over to the side and was in the process of retrieving it.

Therefore it is the recommendation of this department that this claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMEMBER BENAVIDES—

That we do not concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of \$299.32 payable to Janet Bunge.

Carried.

November 1, 1985

President Charles Creamer and
Members of the Lansing City Council

Dear Councilmembers:

Attached herewith are copies of signed "Approval of location only" from City Departments for a new 12-month Resort B-Hotel with Dance Permit for the Lansing-Clarion Hotel, 6820 S. Cedar Street.

The attached correspondence is submitted with my approval for your concurrence.

Most sincerely,

RITA M. BAUMAN,
City Clerk.

By COUNCILMEMBER WORTHINGTON—

That we concur in the recommendation of the City Clerk and the approval for location only for new 12-month Resort B-Hotel with Dance Permit for the Lansing-Clarion Hotel, 6820 S. Cedar Street be approved.

Carried.

October 30, 1985

Mayor Terry McKane,
Council President Charles Creamer

Dear Mayor McKane & President Creamer:

At a special meeting of the Economic Development Corporation held on October 30, 1985, the following resolutions were approved, for your review.

1. A Resolution of Inducement for the Lyons Savings and Loan project. The Council is requested to certify approval of the Project Area, establish the Project District Area, and to confirm the appointment of the Mayor's appointment of two temporary directors to the EDC Board for this project.

2. A resolution amending a previously adopted Project Plan for the Snell Environmental Group Project. The cost for the sale of the building was originally budgeted to be \$450,000. This amendment would increase this budget to \$500,000, and increase the total amount of the bond issue to \$1,250,000. The Council is requested to set a date for a public hearing on this proposed amendment.

Feel free to contact me if I can answer any questions concerning these resolutions.

Sincerely yours,

EMERSON OHL,
Executive Director.

Referred to the Committee on Economic Development.

October 28, 1985

Council President Charles Creamer & Members of
the Lansing City Council

Dear President Creamer and
Lansing City Councilmembers:

Subject: Approval of Bond Issue of Capital Region
Airport Authority for Benefit of Simmons
Airlines

The Capital Region Airport Authority (the "Authority") is preparing to issue bonds to finance the construction of a new hangar, office and training facility for use by Simmons Airlines at the Airport. The bonds would be secured by the revenues derived from a lease agreement with Simmons Airlines and by the unused taxing power of the "Authority" (currently levying 36/100 of a mill against a maximum permitted of 75/100 of a mill). Because Simmons Airlines is a private entity which would benefit from the bond issue, the Internal Revenue Code would treat the bond issue as industrial development bonds which are subject to certain federal requirements, just as are bonds issued by economic development corporations in Michigan.

To be validly issued, since the beginning of 1983, industrial revenue bonds and the projects financed thereby have to have been the subject of a public hearing conducted by the issuer of the bonds and then must have been approved by the chief elected official or the legislative body of one of the governmental bodies which created the issuer. Mr. Russell Brown of the Capital Region Airport Authority has requested a resolution of support from the City of Lansing.

I commend Simmons Airlines and the Capital Region Airport Authority for this project which will be a worthwhile addition to this area economy and should provide improved air transportation services to our citizens. I submit for your consideration a copy of the Notice of Hearing and a resolution of support for the proposed bond issue. A public hearing has been scheduled by the Authority for November 6th and it is requested that this matter receive your favorable consideration at the November 12th Council meeting.

Sincerely,

TERRY J. MCKANE,
Mayor.

Referred to the Committee of the Whole.

DATE: 10/31/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Human Relations Director

RE: Human Relations Board, Election of Officers

The attached correspondence is submitted for your
information.

TERRY J. MCKANE,
Mayor.

Received and placed on file.

DATE: 10/31/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director of Public Service

RE: State of Michigan Telecommunications System
Construction

The attached correspondence is submitted for your
information.

TERRY J. McKANE,
Mayor.

Received and placed on file.

DATE: 10/31/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning & Municipal Devel. Dept.

RE: Trash Removal Assessment for U-29 December
1985 Tax Roll \$2,770.50

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER LINDEMANN—

That we concur in the recommendation of the
Mayor and the trash removal assessment in the
amount of \$2,770.50 be placed on the U-29 December
1985 Tax Roll.

Carried.

DATE: 10/31/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning & Municipal Devel. Dept.

RE: Grass Cutting Assessment for U-27 December
1985 Tax Roll \$3,336.25

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER LINDEMANN—

That we concur in the Mayor's recommendation
and the Grass Cutting Assessment in the amount of
\$3,336.25 be placed on the U-27 December 1985 Tax
Roll.

Carried.

DATE: 10/31/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning & Municipal Devel. Dept.

RE: Grass Removal Assessment for December 1985
Tax Roll (L-27) \$5,223.75

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER LINDEMANN—

That we concur in the recommendation of the
Mayor and the Grass Removal Assessment in the
amount of \$5,223.75 be placed on the December 1985
Tax Roll.

Carried.

DATE: 10/31/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning & Municipal Devel. Dept.

RE: Request for Public Hearing
6205 S. Logan St., Lot 37, Kenbrook Subdivision,
Lansing, MI

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER LINDEMANN—

That we concur in the recommendation of the
Mayor and the public hearing be set for November 25,
1985.

Carried.

DATE: 10/31/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director of Planning & Municipal Develop-
ment

RE: Tax Abatement Application Review

The attached correspondence is submitted for your
information.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Economic Develop-
ment.

DATE: 10/31/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Budget Director

RE: Transfer of Funds

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Ways and Means.

RESOLUTIONS

By GENERAL SERVICES COMMITTEE—

RESOLUTION #0513

Resolved by the City Council of the City of Lansing:

Whereas the Opera Company of Mid-Michigan is
planning an Opera Pops Gala fundraising event on the
23rd of November which will include a raffle drawing,
and

Whereas the Opera Company of Mid-Michigan has
requested local government recognition of its non-
profit status pursuant to state law, and

Whereas, the Council Committee on General Ser-
vices has reviewed the Articles of Incorporation as well
as other evidence of this organization's non-profit
status, now

Therefore Be It Resolved, the City Council of the
City of Lansing hereby officially recognizes the Opera
Company of Mid-Michigan as a non-profit organiza-
tion operating in this community, and

Be It Further Resolved the Council wishes Opera
Company of Mid-Michigan the very best of luck in its
fundraising efforts.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION #0514

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on
the proposed establishment of a Lansing Commercial
Redevelopment District CRD-12-85, proposed by
Norken Realty, Co., located in the area bounded
Monroe, Larch and Cedar St., and more particularly
described as:

All of Lots 7, 8, & 10; plus the north 33 ft of lot 11;
plus the west 49.5 ft. of the south 32 ft. of lot 9, and
all of the north 34 ft. of lot 9, block 17, original plat of
the City of Lansing, Ingham County, Michigan.

Now, Therefore, Be It Resolved that the City Clerk
give at least ten (10) days notice of a public hearing
when all persons interested may attend and make any
objections they may have to such proposed District;
and

Be It Further Resolved that such hearing be held at
the Council Chambers in the City Hall on the 18th day

of November 1985, at 7:00 p.m., and that notice of
such hearing be published in a publication of general
circulation in said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION #0515

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on
the proposed establishment of a Lansing Commercial
Redevelopment District CRD-13-85, proposed by
Lewis Plumbing & Heating, Inc., located in the 900
block of Terminal Road, and more particularly
described as:

Lot #3, Capital City Warehousing Subdivision,
City of Lansing, Ingham County, Michigan

Now, Therefore, Be It Resolved that the City Clerk
give at least ten (10) days notice of a public hearing
when all persons interested may attend and make any
objections they may have to such proposed District;
and

Be It Further Resolved that such hearing be held at
the Council Chambers in the City Hall on the 18th day
of November 1985, at 7:00 p.m., and that notice of
such hearing be published in a publication of general
circulation in said City.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER LINDEMANN—

That Councilmember Blair be excused from voting
on this resolution due to possible conflict of interest.

Carried.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION #0516

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a
Lansing Commercial Redevelopment District
CRD-8-85, on property at 111 South Capitol; and

Whereas, Lyons Savings and Loan, has applied for
a Commercial Facilities Exemption Certificate, for
renovation of an existing facility at 111 South Capitol;
and

Whereas, it is necessary to hold a public hearing prior
to this Council's taking action on Lyon's application
for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved, that the City Clerk
give at least ten (10) days notice of a public hearing
when all persons interested may attend and make any
objections they may have to the approval of the Cer-
tificate; and

Be It Further Resolved that the City Council notify
the legislative body of each taxing unit which levies ad

valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-8-85; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, November 18, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0517

RESOLUTION SETTING HEARING DATE
(Snell Environmental Group, Inc. Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan held at 7:00 o'clock p.m., Michigan Time, on November 4, 1985, at which the following members were present:

Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, and Worthington, and the following were absent: none

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Belen:

Whereas, this City Council has heretofore approved a Project Area and established a Project District Area for the Snell Environmental Group, Inc. Project (the "Project") of The Economic Development Corporation of the City of Lansing (the "Issuer"); and

Whereas, Section 17 of Act No. 338 of the Michigan Public Acts of 1974, as amended, (the "Act") and Temporary Treasury Regulations (Section 5f.103-2 require that in order for bonds to be issued by the Issuer to assist in the financing of the Project, this City Council conduct a public hearing, after notice, and approve the issuance of bonds, all as provided in the Act and Temporary Regulations; and

Whereas, this City Council conducted a public hearing on the Project Plan for the Project at its meeting on the 28th day of October, 1985; and

Whereas, the Issuer has been advised that the estimated project costs have increased to \$1,250,000 and that the Project Plan has been amended to reflect the increase in project costs; and

Whereas, this City Council wishes to set a date for a public hearing on an Amended Project Plan for the Project prepared by the Issuer.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, as follows:

1. A public hearing upon the issuance of bonds in the aggregate face amount not to exceed \$1,250,000 and the Amended Project Plan for the Project shall be held at 7 o'clock, p.m., Michigan Time, on the 25th day of November, 1985, in the City Council Chambers, 10th Floor, City Hall, in the City of Lansing, County of Ingham, State of Michigan. At such hearing, the City Council of the City of Lansing shall provide an opportunity for interested persons to be

heard and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for the expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the proposed bond issue and the Amended Project Plan. The governing body shall make and preserve a record of the public hearing, including all data presented thereat.

2. The City Clerk is hereby requested to publish, post, and mail notice of such hearing, such notice to be substantially in the form attached hereto, in accordance with Section 17 of the Act and Temporary Treasury Regulations Section 5f.103-2.

3. The City Clerk is hereby directed to forward three certified copies of this resolution to the Secretary of the Issuer.

4. All resolutions or parts thereof in conflict with this resolution are hereby repealed, by only to the extent of such conflict.

Yeas—Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann Schmidt and Worthington—8.

Nays—None.

Abstentions—None.

Resolution declared adopted.

STATE OF MICHIGAN)
) SS.
COUNTY OF INGHAM)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 4th day of November, 1983, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

RITA M. BAUMAN,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

NOTICE OF PUBLIC HEARING
CITY COUNCIL OF THE CITY OF LANSING
AMENDED PROJECT PLAN
FOR THE ECONOMIC DEVELOPMENT
CORPORATION OF THE CITY OF
LANSING, SNEEL ENVIRONMENTAL
GROUP, INC. PROJECT AND ISSUANCE
OF LIMITED OBLIGATION REVENUE BONDS

Notice is hereby given that the City Council of the City of Lansing will hold a public hearing at 7 o'clock p.m., in the City Council Chambers, 10th Floor, City Hall, Lansing, Michigan, on the 25th day of November, 1985, on an Amended Project Plan prepared by The Economic Development Corporation of the City of Lansing for its Snell Environmental Group, Inc. Project (the "Project"). The Project is to be initially owned, operated and managed by and undertaken for the benefit of Snell Environmental Group, Inc., a Michigan corporation.

The Project consists of the acquisition, renovation and equipping of an existing building, the construction of an addition thereto and the acquisition of the site therefore, for use as offices and as a laboratory, to be located at 1120 May Street, City of Lansing, County of Ingham, Michigan.

The location of the Project Area and the Project District Area in relation to highways, streets, streams or otherwise is indicated in the Amended Project Plan.

Maps, plats, and a description of the proposed Amended Project Plan, including the method of relocating families and individuals who will be displaced from the area, if any, are available for public inspection at the office of The Economic Development Corporation of the City of Lansing, located on the 9th Floor, City Hall, Lansing, Michigan. All aspects of the proposed Amended Project Plan will be open for discussion at the public hearing, including the proposed issuance of limited obligation revenue bonds in the maximum principal amount of \$1,250,000 by The Economic Development Corporation of the City of Lansing to assist in financing the Project. The Amended Project Plan contains further information about the issuance of such bonds and the financial parameters of the proposed bond issue.

The City Council will consider the approval of (i) the Amended Project Plan and (ii) the proposed bond issue only after the public hearing has been completed.

The City Council of the City of Lansing shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the proposed Amended Project Plan and the proposed bond issue.

RITA M. BAUMAN,
City Clerk.

Published, posted and mailed to property owners of record within the Project District Area.

By COUNCILMAN ADADO—

RESOLUTION #0518

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District CRD-14-85, proposed by Sinn Fein, Inc., located at 212 South Washington Square, and more particularly described as:

Lot 19, Board of State Auditors Subdivision, of East ½ of Block 115, original plat of City of Lansing, Ingham County, Michigan.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District; and

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 18th day of November 1985, at 7:00 p.m., and that notice of

such hearing be published in a publication of general circulation in said City.

Adopted by the following vote:

Unanimously.

By COUNCILMAN ADADO—

RESOLUTION #0519

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District CRD-15-85, proposed by Kenneth B. Stockwell, to be located at 301 South Washington Square, and more particularly described as:

North 22 ft. of the West 100 ft. of Lot 12, Block 129, Original Plat of the City of Lansing, Ingham County, Michigan.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District; and

Be It Further Resolved that such hearing be held at the Council Chamber in the City Hall on the 18th day of November 1985, at 7:00 p.m., and that notice of such hearing be published in a publication of general circulation in said City.

Adopted by the following vote:

Unanimously.

By COUNCILMAN ADADO—

RESOLUTION #0520

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District CRD-16-85, proposed by Anthony T. Randall, to be located at 303 South Washington Square, and more particularly described as:

South 22 ft. of the North 44 ft. of the West 100 ft. of Lot 12, Block 129, Original Plat of the City of Lansing, Ingham County, Michigan.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District; and

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 18th day of November 1985, at 7:00 p.m., and that notice of such hearing be published in a publication of general circulation in said City.

Adopted by the following vote:

Unanimously.

Councilmember Lindemann left the meeting.

By PHYSICAL DEVELOPMENT COMMITTEE—

RESOLUTION #0521

Resolved by the City Council of the City of Lansing:

The Committee on Physical Development confirms the appointment of Christopher J. Steele to the Board of Zoning Appeals with a term to expire in June of 1988.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$6,000.00 from Fund Balance

A/C 101-000-000-390

6,000.00 to Admin. Serv. Property Management

A/C 101-265-002-931

Unscheduled Maintenance (to provide funds for demolition of Beck House, which is now vacant.)

\$2,000.00 from Reserve for Contingency

A/C 101-941-000-963

2,000.00 to Admin. Serv. Property Management

A/C 101-265-000-931

(Project Maintenance (Additional needed due to higher than anticipated bids received for City warehouse demolition due to unsafe condition.)

\$800.00 from Reserve for Contingency

A/C 101-941-000-963

800.00 to Police Adm. Oper. Supplies

A/C 101-305-000-740

(Additional postage related to enactment of the Crime Victim's Rights Act.)

\$534.75 from Gen. Fund Estimated Revenues

A/C 101-000-000-160

534.75 to Forfeitures Act 251

A/C 101-305-016-969

(Act 251 Forfeiture to Tri-County Metro Squad.)

Balance remaining in the Reserve for Contingency Fund after these transfers if \$420,542.00.

Recommended by:

JANET LAZAR,
Budget Director

I certify that this is a property drawn and eligible transfer.

JAMES W. DOWSETT
Finance Director

APPROVED:

JAMES BLAIR
TONY BENAVIDES
PAT LINDEMANN
Ways and Means Committee

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinance(s) of the City of Lansing

providing that the code of ordinances be amended by:

Revising the district maps adopted by Section 36-6 of the Code of Ordinances and to change the zoning classification for the rezoning petitions:

Z-25-85—4945 and 5005 Eastlawn to be rezoned from "A" Residential District to "F" Commercial District filed by James Thelen and David Tome.

Z-26-85—2801 N. Grand River Avenue to be rezoned from "D-1" Professional Office District to "E-1" Apartment/Shop District filed by Betty and Diane H. Bennett

Was introduced by Councilman Belen read a first and second time by their title(s) and referred to the Committee on Physical Development.

By COUNCILMEMBER BELEN—

RESOLUTION #0522

Resolved by the City Council of the City of Lansing:

That a public hearing be set for November 25, 1985 at 7:00 p.m. in the City Council Chambers, 10th Floor, City Hall, for the following rezoning petitions:

Z-25-85—4945 and 5005 Eastlawn to be rezoned from "A" Residential District to "F" Commercial District filed by James Thelen and David Tome.

Z-26-85—2801 N. Grand River Avenue to be rezoned from "D-1" Professional Office District to "E-1" Apartment/Shop District filed by Betty and Diane H. Bennett.

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinance(s) of the City of Lansing, Michigan providing that the code of ordinances be amended by:

Providing for the repeal of Chapter 28 for the purpose of revising and updating the ordinance pertaining to streets and sidewalks.

Providing that a new Chapter 28 containing sections numbered 28-1 through 28-54 be added to the code for the purpose of updating and revising the ordinance pertaining to streets and sidewalks was introduced by Councilman Worthington read a first and second time by their title(s) and referred to the Committee on General Services.

By GENERAL SERVICES COMMITTEE—

RESOLUTION #0523

Resolved by the City Council of the City of Lansing:

Be It Hereby Resolved that a public hearing on the attached ordinances shall be held before the Lansing City Council in its Chambers on the Tenth Floor of the Lansing City Hall, City of Lansing, Michigan at its regular meeting at 7:00 p.m. on Monday, November 18, 1985; and

Be It Further Resolved that the City Clerk shall post appropriate notice of this hearing.

Adopted by the following vote:

Unanimously.

Councilmember Lindemann returned to the meeting.

By COUNCILMAN BELEN—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of property located in the City of Lansing, Mich. and for the revision of the district maps adopted by Section 36-6 of the code for property located at:

Z-24-85—2420 N. Grand River Ave. to be rezoned from "A" Residential District to "D-1" Professional Office District and "G-2" Wholesale District.

and recommended that the ordinance be passed.

By COUNCILMEMBER BELEN—

I move that the first reading of this ordinance for rezoning be considered to be read in its entirety.

Carried.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the Code for property located at

Z-24-85—2420 N. Grand River Ave. to be rezoned from "A" Residential District to "D-1" Professional Office District and "G-2" Wholesale District.

be placed on order of immediate passage.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-24-85—2420 N. Grand River Ave. to be rezoned from "A" Residential District to "D-1" Professional Office District and "G-2" Wholesale District be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2172

An Ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing Ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number—Z-24-85, 2420 North Grand River Avenue

Parcel Number—3301-05-427-131-8

Legal Description: That part of Lot 17 Assessor's Plat #57, City of Lansing Ingham County, Michigan, described as beginning at the southwest corner of Lot 17, Assessor's Plat #57, a subdivision on the southwest ¼ of Section 4, E ½ of Section 5 and the NW ¼ of Section 9. T4N, R2W; thence N 80° along the W property line; thence E 55°; thence SEly parallel with the N line of Grand River Ave. to a point in the E property line; thence S along the E property line to the N line of Grand River Ave.; thence NWly along the N line of Grand River Ave. to the point of beginning.

From 'A' Residential District to 'D-1' Professional Office District and the balance of Lot 17, Assessor's Plat #57 from 'A' Residential District to 'G-2' Wholesale District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN WORTHINGTON—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by: Amending Sections 30-2 and 30-3 of the Lansing Code of Ordinances to provide requirements for the issuance of Taxicab Licenses and recommended that the ordinance be passed.

By COUNCILMEMBER WORTHINGTON—

I move that the first reading of this Ordinance be considered as having been read in its entirety.

Carried.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Sections 30-2 and 30-3 of the Lansing Code of Ordinances to provide requirements for the issuance of Taxicab licenses be placed on order of immediate passage.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by amending Sections 30-2 and 30-3 of the Lansing Code of Ordinances to provide requirements for the issuance of Taxicab licenses be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 708

An Ordinance to amend Sections 30-2 and 30-3 of the Lansing Code of Ordinances to provide requirements for the issuance of taxicab licenses.

The City of Lansing ordains:

Section 1. Sections 30-2 and 30-3 of the Code of Ordinances of the City of Lansing are hereby amended to read as follows:

Sec. 30-2. License—Required.

I shall be unlawful for any person to operate or cause to be operated for hire within the limits of the city a taxicab, without first obtaining a license therefor from the city clerk.

Sec. 30-3. Same—Qualifications of applicant; conditions of issuance, bond, insurance, fee.

The City Clerk is hereby authorized to grant such license for the purpose aforesaid to any citizen of the United States or permanent resident alien, who is a resident of the state and of the age of eighteen (18) years and upward, or to any corporation or copartnership authorized to operate taxicabs in accordance with the laws of the state, subject to the following conditions hereinafter set forth.

(1) Upon applicant's executing and filing with the city clerk a bond to the city in the sum of five thousand dollars (\$5,000.00), with proper and adequate sureties, conditioned that each taxicab will be operated in accordance with the provisions of the laws of the state and the charter and ordinances of the city, and that any judgment rendered in any court against such applicant or the driver of any taxicab, arising out of damage or injury to any person or property caused by the negligent operation of any such taxicab, will be paid. Any person DAMAGED by the negligent operation of any taxicab belonging to the applicant, whether operated on lease from the applicant or otherwise, may, in the name of the city but at his own sole costs and charges, institute an action upon the same.

(2) Further, upon filling with the city clerk proper evidence, which shall include a copy of the policy, that the applicant has procured insurance in an insurance company permitted to do business in the state, which insurance contract guarantees the payment of that part of any judgment against the applicant or an individual driver of any such taxicab, over and above the initial sum of one hundred thousand dollars (\$100,000.00) with a maximum liability on the part of such insurance company of one hundred thousand dollars (\$100,000.00) for any one person and three hundred thousand dollars (\$300,000.00) for any one accident, which such insurance contract shall cover

any liability or bodily injuries or death occurring from the negligent operation of any such taxicab.

(3) Such policy shall bear an endorsement to the effect that the insurance company shall notify the city clerk at least ten (10) days before the expiration of such policy, whether by way of cancellation or limitation of term.

(4) Filing with the city clerk the number of taxicabs to be operated under such license if granted and description of each, including the maker's name, serial number, model, year and accounting number.

(5) Payment to the city clerk of the sum of twenty-five dollars (\$25.00) for each taxicab to be kept and used as aforesaid for public hire.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall be given immediate effect by the City Council.

By COUNCILMEMBER WORTHINGTON—

Resolved by the City Council of the City of Lansing:

This ordinance being necessary for the immediate preservation for the public peace, health or safety shall take effect upon its passage.

Carried.

REPORT OF COMMITTEE

The COMMITTEE ON GENERAL SERVICES

Approves the following licenses and bonds:

Health Club License: Body Action, USA

Public Drivers: Donald Eugene Britten, John Stuart Malcolm, Robert D. Weatherby, David Edward Shumaker, William Stuart Hanley, Robert L. McGruder, Gerald Lewis Fuller, Daniel J. Szymanski, Ingrid E. Reiger.

Taxicab Co.: Spartan Cab Co.

Cabaret,: Hayloft

Signed:

SIDNEY WORTHINGTON
ALFREDA SCHMIDT
CHARLES CREAMER
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBERS BLAIR AND BENAVIDES—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter and petitions filed by the Volleyball Players Against Discrimination protesting the City's Policy of not allowing women to participate in the men's leagues.

Referred to the Mayor and Committee on Public Properties and Safety.

By COUNCILMAN BLAIR—

RESOLUTION #0524

Resolved by the City Council of the City of Lansing:

APPLICATION TO WITHHOLD FROM SALE

Whereas, the following described lands in Ingham County

PLEASE SEE ATTACHED

Were deeded to the State of Michigan on the 7th day of May, 1985 through nonredemption from the County Treasurer May 1, 1984 tax sale; and

Whereas, said lands are now under the jurisdiction of the Department of Natural Resources and may be withheld from the first sale at which they are scheduled to be offered for the purpose of redemption on behalf of the former owner as provided for in Section 131c of Act 206, Public Acts of 1893, as amended;

Now, Therefore, Be It Resolved by the City Council of the City of Lansing that application is hereby made to the Department of Natural Resources to withhold said lands from sale; and

Be It Further Resolved that said City Council of the City of Lansing does hereby authorize the County Treasurer to collect all delinquent taxes on said lands if application is made by the owner thereof during the period for which said lands are withheld from sale by this application.

By COUNCILMEMBER BLAIR—

That this resolution be amended to the end of the first paragraph after the word "and," to add "Whereas the Mayor's office and the City Assessor has recommended to withhold from sale"

Carried.

The Resolution as amended was adopted by the following vote:

Unanimously.

CERTIFICATION

I hereby certify that the above is a true and correct copy of a resolution offered and adopted by the City Council of the City of Lansing on the 4th day of November, 1985.

RITA M. BAUMAN,
Clerk of City of Lansing

REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No comment.

REMARKS BY THE CITY COUNCIL

Councilmember Blair echoed the State Journal Editorial and encouraged citizens to vote in the November 5th General Election.

Councilmember Belen reminded that the Council meeting next week would be held on Tuesday, November 12th.

Councilmember Schmidt commented on Parade to be held on Armistice Day, November 11, 1985.

Councilmember Adado asked the administration to check on the communication requesting payment for the attorney representing the City Employees in their suit against the city over the Pension Plan Ordinance.

Chris Campbell representing the Recyclers of Lansing for glass and newspapers spoke regarding the need for city support in their project for seeking funding from the State of Michigan.

Referred to the Committee of the Whole.

By COUNCILMEMBER CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:10 P.M.

RITA M. BAUMAN,
City Clerk.

November 4, 1985
Lansing, Michigan

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

Proceedings, November 12, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

November 12, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Belen.

Pledge of Allegiance.

PUBLIC HEARING

November 12, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Facilities Exemption Certificate for Fox and Associates, Inc., Northwest corner of Edgewood Blvd. and S. Cedar St.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Commercial Facilities Exemption Certificate they will have the privilege of speaking at this time.

No person spoke.

Referred to the Committee on Economic Development.

November 12, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Facilities Exemption Certificate for Accident Fund of Michigan, 232 S. Capitol Ave. for renovation of an existing facility.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Commercial Facilities Exemption Certificate they will have the privilege of speaking at this time.

No person spoke.

Referred to Committee on Economic Development.

November 12, 1985, at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Facilities Exemption Certificate for Accident Fund of Michigan, 232 S. Capitol Avenue for a new facility.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Commercial Facilities Exemption Certificate they will have the privilege of speaking at this time.

No person spoke.

Referred to Committee on Economic Development.

November 12, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Industrial Facilities Exemption Certificate for Cameron Tool Co., 1800-1818 Bassett Avenue.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Industrial Facilities Exemption Certificate they will have the privilege of speaking at this time.

No person spoke.

Referred to the Committee on Economic Development.

November 12, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Lansing Industrial Plant Rehabilitation District IPR-6-85 for Speaker-Hines & Thomas, Inc., 3366 Remy Drive.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Industrial Plant Rehabilitation District they will have the privilege of speaking at this time.

No person spoke.

Referred to Committee on Economic Development.

November 12, 1985 at 7:00 o'clock p.m. in the City

Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Project Plan for the Fox Development Project and Issuance of Limited Obligation Revenue Bonds. (vacant land in northwest quadrant of intersection of Cedar St. and Edgewood Blvd.)

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Project Plan and issuance of limited obligation revenue bonds.

No person spoke.

Referred to the Committee on Economic Development.

By COUNCILMEMBER BELEN—

That the rules be waived at this time so that the Mayor can make the following presentation.

Carried.

Mayor McKane made a presentation to City Assessor, Paul Creevy, a plaque from the Michigan Assessors Association.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Jay Whitney, 901 Bates St. spoke on Resolution #5—Transfer of funds for \$30,000.00 for soil testing.

Roger Cooley, spoke on Resolution #1 denial of public drivers license.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

Public Drivers— David Williams, Rory Allen Rhodes, Joseph Victor Scavarda, Robert Lee Prevo, Johannes Daniel Tellier, Bilam C. McConnell, William J. Heusted, Philip David Beebe, Justin Fred Birsboy, Daniel Allen Garza, Rolly J. McDuffy, John R. Ferrie, Debra Kay-Tami, Brian Eugene Rueckert.

Referred to Committee on General Services.

The following claims have been filed by:

Marlene Scott, 4316 Christiansen Rd., for repair of lawnmower damaged by striking a bracket that came from the toys in the city park next door.

Sidney Green, 3411 Viola, for broken windshield while driving on North Turner Street.

Todd Lee Schneider, Eaton Rapids, Mich., for automobile damages from hitting a manhole cover on Fairview Ave.

Referred to Mayor, City Attorney.

Application for Commercial Facilities Exemption Certificate for Universal Companies, Inc., Northwest corner of Edgewood Blvd. and So. Cedar St.

Referred to Mayor, Committee on Economic Development.

Application for Commercial Redevelopment District—Act. 255 filed by Americor Ventures, Inc., for property in area bounded by Alpha St. and McLaughlin St.

Referred to Mayor, Committee on Economic Development.

Petitions filed by residents to limit parking on 4300 and 4499 blks. of Donald Street.

Referred to Mayor, Traffic Board.

Vivian Preston and Brenda Ballard submits follow-up letter for reimbursement of legal fees for the repeal of Section 26-23 (c) of the City Retirement Ordinance No. 702.

Referred to Committee on Ways and Means.

Michigan Public Service Commission submits notice of hearing in the matter of the application of Consumers Power Company for approval of a refund procedure or, in the alternative, for approval of a partial reconciliation of the Gas Cost Recovery Plan year 1985.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Mayor McKane spoke in regards to his letters 3a (Paul Creevy, Assessor of the Year award from Mich. Municipal Assessors Assoc.) 3-b (Youth Floor Hockey Program). 3-1 thru 7- (stop signs requests.)

REPORT OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

Public Drivers—David Williams, Rory Allen Rhodes, Joseph Victor Scavarda, Robert Lee Prevo, Johannes Daniel Tellier, Bilam C. McConnell, William J. Heusted, Philip David Beebe, Justin Fred Birsboy, Daniel Allen Garza, Rolly J. McDuffy, John R. Ferrie, Debra Kay-Tami, Brian Eugene Rueckert.

Signed:

SIDNEY WORTHINGTON
ALFREDA SCHMIDT
CHARLES CREAMER
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

To whom was referred the Uniform Fire Code and Fire Schedule reports as follows:

Having reviewed and approved the fire code and recommended fee schedule the Committee on Public Properties & Safety hereby officially refers this ordinance back to the Committee on General Services for consideration as part of the recodification.

Signed:

JAMES BLAIR
PAT LINDEMANN
LOUIS ADADO
Committee on Public Properties and Safety

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

To whom was referred the ACT-31-85 use of Public Right-of-Way by Buick-Olds-Cadillac Group reports as follows:

The Committee approves the concept of using angled shrubbery in the public right-of-way at 401 Verlinden to improve pedestrian access, reduce maintenance and enhance the appearance of the area. The Committee additionally urges the Planning Division staff to work with B.O.C. to explore the possibility of using "gresscrete" and/or other landscaping materials to further improve the appearance of the main entrance to the plant. Committee further requests plans to come back for final review and approval.

Signed:

LOUIS ADADO
JAMES BLAIR
PAT LINDEMANN
Committee on Public Properties and Safety

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON WAYS & MEAN—

To whom was referred the Mayor's recommended transfer of \$1,400 from General Fund Reserve for Contingency to cover costs of the Mexican Earthquake Relief Fundraiser at the Civic Center reports as follows:

There are sufficient funds in the City Special Ex-

penses account to cover the event's co-sponsorship costs and no transfer is necessary.

Signed:

JAMES BLAIR
TONY BENAVIDES
PAT LINDEMANN
Committee on Ways and Means

By COUNCILMAN BLAIR—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

November 7, 1985

Mayor Terry McKane;
Council President Charles Creamer
and City Council Members

Dear Mayor McKane and City Council Members:

At its regularly scheduled meeting held on November 6, 1985, the Economic Development Corporation Board of Directors approved the attached Resolution Recommending Project Plan for the Project known as Accident Fund Project.

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Committee on Economic Development.

November 7, 1985

Mayor Terry McKane;
Council President Charles Creamer
and City Council Members

Dear Mayor McKane and City Council Members:

At its regularly scheduled meeting held on November 6, 1985, the Economic Development Corporation Board of Directors approved the attached Resolution of Inducement and Intent to Issue Revenue Bonds, to Proceed with a Project, To Appoint Bond Counsel, To Designate Project Area, Recommending Project District Area and Requesting Appointment of Additional Directors for the Project known as Michigan State Chamber of Commerce.

Sincerely,

EMERSON B. OHL,
Executive Director

Referred to Committee on Economic Development.

November 7, 1985

Mayor Terry McKane;
Council President Charles Creamer
and City Council Members

Dear Mayor McKane and City Council Members:

At its regularly scheduled meet ing held on

November 6, 1985, the Economic Development Corporation Board of Directors approved the attached Resolution of Inducement and Intent to Issue Revenue Bonds, to Proceed with a Project, To Appoint Bond Counsel, To Designate Project Area, Recommending Project District Area and Requesting Appointment of Additional Directors for the Project known as LGH Office Building Project.

Sincerely yours,

EMERSON B. OHL,
Executive Director

Referred to Committee on Economic Development.

November 7, 1985

Mayor Terry McKane;
Council President Charles Creamer
and City Council Members

Dear Mayor McKane and City Council Members:

At its regularly scheduled meeting held on November 6, 1985, the Economic Development Corporation Board of Directors approved the attached Resolution of Inducement and Intent to Issue Revenue Bonds, to Proceed with a Project, To Appoint Bond Counsel, To Designate Project Area, Recommending Project District Area and Requesting Appointment of Additional Directors for the Project known as Americor Ventures, Inc.

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Committee on Economic Development.

November 7, 1985

Mayor Terry McKane;
Council President Charles Creamer
and City Council Members

Dear Mayor McKane and City Council Members:

At its regularly scheduled meeting held on November 6, 1985, the Economic Development Corporation Board of Directors approved the attached Resolution Designating Project Area, Recommending Project District Area and Requesting Appointment of Additional Directors for the Project known as Interstate Foods, Inc.

Sincerely yours,

EMERSON B. OHL,
Executive Director

Referred to Committee on Economic Development.

November 6, 1985

The Honorable Mayor and City Council
of the City of Lansing, Michigan

Submitted herewith are the Financial Statements of the City funds at September 30, 1985, showing the relationships between the estimated and actual revenues of the City's funds at that date.

This report, together with the Budget Status

Report, provides the Mayor and City Council with required data relating to the financial condition of the City, exclusive of operations of the Board of Water & Light, Parking System and General Fund. The above exclusions are reported upon separately.

Respectfully submitted,

JAMES W. DOWSETT,
Finance Director

STEPHEN W. DUARTE,
City Controller.

Referred to Committee on Ways and Means.

November 12, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

This year the Michigan Assessor's Association, an organization with some 1,200 members, has presented its "Most Valuable Member Award" to our own City Assessor, Mr. Paul S. Creevy. This award represents the highest form of recognition for excellence in assessment administration.

Paul is well known for his expert knowledge of assessment laws and practices and has demonstrated high standards of leadership in his field.

Paul will be retiring soon, on December 3, and I would like to take this opportunity to thank him on behalf of all of the citizens of Lansing for his dedicated service to the City and to wish him the very best in his retirement years.

Sincerely,

TERRY J. MCKANE,
Mayor.

Received and placed on file.

November 1, 1985

Council President Charles Creamer and
Members of Lansing City Council

Dear Council President Creamer and
Members of City Council:

Please find attached a report of the youth floor hockey program, which was not included as an item in the Fiscal Year 1985-86 because the program was administered last season by the Lansing Floor Hockey Association. That group has since disbanded, and the City has been requested to administer this program again.

Your action would be necessary to approve the team fee schedule and officials' rates, should you concur in again assuming this responsibility.

This program last year involved approximately 550 youths ages 9-13, the great majority of whom were from the City of Lansing. Your prompt action is requested.

Sincerely,

TERRY J. MCKANE,
Mayor.

Referred to Committee on Public Properties and Safety.

DATE: 11/6/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Transportation Division

RE: Cameo St. and Joshua St.—Stop Sign Request

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to Committee on Public Properties and Safety.

DATE: 11/6/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Lansing Traffic Board

RE: Douglas Ave. and Gary Ave. Stop Sign Request

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to Committee on Public Properties and Safety.

DATE: 11/6/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Lansing Traffic Board.

Re: Linval St. and Baker St. Stop Sign Request

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to Committee on Public Properties and Safety.

DATE: 11/6/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Transportation Division

RE: Fauna Ave. and Catherine St.—Stop Sign Request

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to Committee on Public Properties and Safety.

DATE: 11/6/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Lansing Traffic Board

Linval St. and Normal St. Stop Sign Request

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to Committee on Public Properties and Safety.

DATE: 11/6/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Transportation Division

RE: Ray St. and Normal St.—Stop Sign Request

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to Committee on Public Properties and Safety.

DATE: 11/6/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Lansing Traffic Board

RE: Linval St. and Avon St. Request for Stop Signs

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to Committee on Public Properties and Safety.

DATE: 11/6/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Lansing Traffic Board

Re: No Turn on Red Signs at the
Oldsmobile Complex

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to Committee on Public Properties and
Safety.

DATE: 11/6/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Lansing Traffic Board

RE: Orchard Court: No Parking Request

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to Committee on Public Properties and
Safety.

DATE: 11/6/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Transportation Division

RE: Maple St.—No Parking Request

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to Committee on Public Properties and
Safety.

DATE: 11/7/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director of Planning Division, Department
of Planning & Municipal Development

Re: ACT-23-85, Solomon and Sablin Pits

The attached correspondence is submitted for your
information.

TERRY J. McKANE,
Mayor.

Committee on Public Properties and Safety.

DATE: 11/8/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning & Municipal Develop. Dept.

Re: ACT-33-84, East North East St. Vacation

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to Committee on Public Properties and
Safety.

DATE: 11/7/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director of Planning Division, Department
of Planning & Municipal Development

RE: Z-22-85, 1600 Block of East Cavanaugh Road

The attached correspondence is submitted for your
information.

TERRY J. McKANE,
Mayor.

Committee on Physical Development.

DATE: 11/8/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning & Municipal Devel. Dept.

RE: Tax Abatement Application Review
IPR-4-78, 1800 Bassett St.
IPR-6-85, 3366 Remy Dr.
CRD-9-85, 218-232 S. Capitol Ave.

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to Committee on Economic Development.

DATE: 11/8/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Planning & Municipal Devel. Dept.

RE: Tax Abatement Review
CRD-10-85, 1322 E. Michigan Ave.

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. MCKANE,
Mayor.

Referred to Committee on Economic Development.

DATE: 11/6/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Budget Director

RE: Transfer of Funds

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. MCKANE,
Mayor.

Referred to Committee on Ways and Means.

RESOLUTIONS

RESOLUTION #0525

Resolved by the City Council of the City of Lansing:

Whereas, Roger L. Cooley has submitted an ap-
plication for license as a public driver; and

Whereas, the Office of the Chief of Police has
reviewed the application and recommended disap-
proval in accordance with the provisions of Section
30-5(1) of the City Code; and

Whereas, the Committee on General Services has
examined the report from the Assistant Chief of
Police and concurs with the recommendation to disap-
prove the application;

Now, Therefore, Be It Resolved, the Lansing City
Council hereby disapproves the application of Roger
L. Cooley for license as a public driver; and

Be It Further Resolved, upon adoption of this
resolution the City Attorney shall notify the applicant
of said disapproval and advise him of his right to a
hearing under the provisions of Section 3-5 of the City
Code.

Adopted by the following vote:

Unanimously.

By COUNCILMAN ADADO—

RESOLUTION #0526

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a
Lansing Commercial Redevelopment District
CRD-6-85, on property at the Northwest corner of
Edgewood Boulevard and S. Cedar; and

Whereas, the Universal Companies Inc. (Mr.
Steak), has applied for a Commercial Facilities Ex-
emption Certificate for construction of a new facility
on this site; and

Whereas, it is necessary to hold a public hearing
prior to this council's taking action on The Universal
Companies' application for a Commercial Facilities
Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk
give at least ten (10) days notice of a public hearing
when all persons interested may attend and make any
objections they may have to the approval of the Cer-
tificate; and

Be It Further Resolved that the City Council notify
the legislative body of each taxing unit which levies ad
valorem property taxes on the property located within
said Lansing Commercial Redevelopment District
CRD-6-85; and

Be It Finally Resolved that such hearing shall be
held at the Council Chambers on the tenth (10th) floor
of Lansing City Hall on Monday, November 25, 1985
at 7:00 pm. and that notice of such hearing be publish-
ed in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By COUNCILMAN ADADO—

RESOLUTION #0527

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on
the proposed establishment of a Lansing Commercial
Redevelopment District CRD-17-85, proposed by
Americor Ventures, Inc., located in the area bounded
by Alpha St. and McLaughlin St., and more par-
ticularly described as:

Lots 12, 13, 14, 15, & 16, Central Warehousing, a
subdivision of a part of the SW ¼ of Section 27,
T4N, R2W, City of Lansing, Ingham County,
Michigan.

Now, Therefore, Be It Resolved that the City Clerk
give at least ten (10) days notice of a public hearing
when all persons interested may attend and make any
objections they may have to such proposed District; and

Be It Further Resolved that such hearing be held at
the Council Chambers in the City Hall on the 25th day
of November 1985, at 7:00 p.m., and that notice of
such hearing be published in a publication of general
circulation in said City.

By COUNCILMEMBER BELEN—

That Councilmember Creamer be excused from
voting on this matter.

Carried.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES & SAFETY—

RESOLUTION #0528

Resolved by the City Council of the City of Lansing:

**ACT-29-85
2912 Alpha Street**

Whereas, Lansing General Hospital has requested the City of Lansing for a lease of the public right-of-way fronting along 2912 Alpha Street for the purpose of creating on site parking; and

Whereas, the Lansing Planning Board has reviewed the request and determined that:

a. An abundance of utilities is located within this portion of right-of-way.

b. The portion of right-of-way proposed has been paved and was used as truck access to the warehouse use.

c. Traffic at this location is minimal and the parking as proposed would not present a traffic safety problem.

Whereas, the Planning Board unanimously recommended that the request by Lansing General Hospital to lease the right-of-way west of the west curb line of Alpha Street fronting 2912 be approved, and further that Lansing General Hospital be responsible for maintenance and snow removal for the leased portion to include no interruption to Alpha Street traffic as a result of this lease; and

Whereas, the Council Committee of Public Properties and Safety has reviewed the recommendations of the Planning Board and concurs therein;

Now, Therefore, Be It Resolved, that the Lansing City Council approves the Lansing General Hospital request to lease the portion of Alpha Street lying west of the west curb line and fronting 2912 Alpha Street and assume responsibility for liability, maintenance and snow removal within the leased area; and

Be It Further Resolved, that the appropriate market rate be established, the proper documents be prepared by the City's Administration, and the lease be executed by the Mayor.

By COUNCILMEMBER LINDEMANN—

That Councilmember Creamer be excused from voting on this matter.

Carried.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

RESOLUTION #0529

Whereas, Wednesday, November 6th 1985 was a

day of great loss for the citizens of Lansing due to the death of Marvin E. Beekman, and

Whereas, the positive impact Marvin Beekman had on so many individual lives staggers the imagination, and

Whereas, his life was devoted to the education of our children, particularly those who came into this world at a disadvantage resulting from mental or physical handicaps, and

Whereas, Marvin Beekman's career as an educator and champion of the handicapped began in a Lansing classroom in 1932 and culminated in his retirement as Director of Special Education for the State of Michigan in 1972, and

Whereas, the Marvin E. Beekman Center which opened here in 1968 was a "dream come true" for Beekman as this facility was the first of its in the country to focus exclusively on the education of handicapped children, and

Whereas, through the continuous efforts of this remarkable man, thousands of human beings who might never have had an opportunity to participate in our society, can now enjoy the richness of full involvement in the mainstream of American life now,

Therefore Be It Resolved, the City Council of the City of Lansing hereby officially salutes the life and achievements of Marvin E. Beekman, and

Be It Further Resolved on behalf of all the citizens of Lansing, we express our heartfelt condolences to the family and many close friends of Marvin Beekman.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

RESOLUTION #0530

Resolved by the City Council of the City of Lansing:

Whereas, Paul S. Creevy will be retiring from the service of the citizens of Lansing on December 3rd, 1985;

Whereas, he began working for the City of Lansing in the Spring of 1962, was appointed City Assessor in 1973 and has served in that capacity ever since; and

Whereas, his record of excellence in that office is unparalleled; and

Whereas his esteem among his peers is well evidenced by positions he has held in various Assessor's Associations on the local, state and national levels; and

Whereas, Paul Creevy's recognition earlier this year as the Michigan Assessor's Association's "Most Valuable Member" and the Michigan Senate's Concurrent Resolution paying tribute to him for that award clearly demonstrate his professional abilities; and

Whereas, Paul's personal warmth, courtesy and congeniality will be sorely missed around City Hall;

Now, Therefore, Be It Resolved, the City Council

of the City of Lansing hereby officially expresses its sincere appreciation to Paul S. Creevy for twenty-three years of loyal service to this community; and

Be It Further Resolved, on behalf of all the citizens of Lansing we wish Paul and Shirley many happy and prosperous years of retirement with their wonderful children and grandchildren.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

RESOLUTION #0531

**RESOLUTION APPROVING PROPOSED BOND
ISSUE TO FINANCE IMPROVEMENTS
AT CAPITAL CITY AIRPORT FOR
SIMMONS AIRLINES**

Whereas, the City Council of the City of Lansing (the "Municipality"), having previously been advised that the Capital Region Airport Authority (the "Authority") has called and conducted a public hearing concerning the issuance of tax exempt revenue bonds by the Authority to finance certain improvements at the Capital City Airport for the benefit of Simmons Airlines; and

Whereas, a prerequisite to the issuance of the bonds is approval of the issuance of the bonds by the legislative body of a municipality from which the Authority is derived; and

Whereas, a copy of the Notice of Hearing describing the proposed financing and improvements has been presented to this body for its review;

Now, Therefore, Be It Resolved That:

1. The proposed bond issue and the improvements to be financed thereby to be owned by the Authority and leased to and operated by Simmons Airlines, as described in the Official Notice of Hearing are hereby approved.

2. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

I hereby certify that the attached constitutes a true and complete copy of a Resolution duly adopted by the City Council of the City of Lansing, Counties of Ingham and Eaton, at a Regular Meeting held on the 12th day of November, 1985 and that public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act. No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

I further certify that the following Council Members were present at said meeting: Councilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington and that the following Council Members were absent: None.

I further certify that Councilmember Benavides moved adoption of said Resolution, and that said motion was supported by Councilmember Lindemann.

I further certify that the following Councilmembers voted for adoption of said Resolution: Coun-

cilmembers Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington and that the following Councilmembers voted against adoption of said resolution: none.

RITA BAUMAN,
City Clerk.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

RESOLUTION 3#0532

Whereas, the Recyclers of Greater Lansing is a Michigan nonprofit corporation engaged in community recycling activities; and

Whereas, the Recyclers of Greater Lansing has held monthly recycling drives in the City of Lansing since May, 1982, using volunteers to collect and recycle newspaper and glass; and

Whereas, the Recyclers of Greater Lansing are performing a valuable service by assisting the public to reduce waste disposal costs and conserve valuable resources; and

Whereas, the Recyclers of Greater Lansing will submit an application for a Recycling Capital Grant, a Recycling Operational Grant, and Resource Recovery Education funds to augment recycling activities in the City of Lansing;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing does hereby officially affirm its support of the recycling activities of the Recyclers of Greater Lansing and its application for grants from the Clean Michigan Fund.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

RESOLUTION #0533

Resolved by the City Council of the City of Lansing:

Whereas, the Civic Center Board and the Mayor have recommended a revised standard contract for use between the Lansing Civic Center and caterers; and

Whereas, the proposed standard contract has been reviewed as to form by the City Attorney and examined for auditability by the Internal Audit staff; and

Whereas, the Committee on Ways and Means and the Committee on General Services have studied the contract and discussed this matter at great length, and recommends approval;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached "Catering Contract" as recommended by the Civic Center Board and the Mayor.

By COUNCILMEMBER BENAVIDES—

That the Catering Contract be amended as follows:

That in Agreement No. IV the fifteen percent (15%) be changed to read "thirteen (13%)".

Lost by the following vote:

Yeas: Councilman Adado, Benavides—2.

Nays—Councilman Belen, Blair, Creamer, Lindemann, Schmidt, Worthington—6.

The resolution as presented was adopted by the following vote:

Unanimously.

CATERING CONTRACT

This agreement is made as of the _____ day of _____, 1985, between the City of Lansing, a Michigan municipal corporation, hereinafter called the "City" and _____ hereinafter called the "Caterer".

In consideration of the mutual promises and undertakings contained in this Agreement, the City and the Caterer agree as follows:

1. Scope of Agreement. The Caterer agrees to pay the fees established herein and to abide by the terms and conditions of this Agreement and in return, the City agrees to grant the Caterer a non-exclusive right to be placed on the City's list of authorized caterers for the City's Civic Center for one (1) year from the date of execution of this Agreement, hereinafter referred to as being an Authorized Caterer, and to grant a non-exclusive right to use the kitchen facilities and equipment of the City's Civic Center for one (1) year from the date of execution of this Agreement.

2. Use of Kitchen Facilities. As an Authorized Caterer, the Caterer shall have a non-exclusive right to use the kitchen facilities, serving room equipment, storage rooms, refrigeration, and other Civic Center areas expressly authorized by the Civic Center Manager. However, if the Caterer desires the use of the senior kitchen or its equipment, it must provide the Civic Center Manager with at least ten (10) days prior written notice. Upon sufficient advance notice, the City will provide and arrange tables and chairs for the Caterer's use.

3. Responsibilities of the Caterer. The Caterer shall be responsible for keeping Civic Center facilities and equipment which is used by the Caterer for catering a particular event in a clean and orderly condition. At the end of a catering function, the Caterer shall be solely responsible for cleaning up its work area, returning the equipment belonging to the City to the custody of the City, properly dispose of all refuse and garbage and leave the work areas and equipment used clean and cleared to the satisfaction of the Civic Center Manager. The Caterer hereby consents to inspection by the Civic Center Board and/or local health authorities at reasonable times to determine conditions of proper sanitation exist.

The Caterer shall be solely responsible for notifying the Civic Center office of its bookings and business contracted, time of move-in, estimated time of move-out, and requests of work areas and equipment, reasonably in advance of the same.

The Caterer shall be responsible for serving food and beverages of good quality at either price agreed upon for specific menus or at reasonable prices. The Caterer agrees to provide to the Civic Center Manager, a copy of food and beverage orders in-

cluding prices and numbers of persons to be served, reasonably in advance of catering the same.

4. Civic Center Fees. The Caterer shall pay to the City fifteen percent (15%) of its gross receipts up to \$100,000.00 of such gross receipts received by the Caterer for catering events at the Civic Center. The Caterer shall pay to the City, twelve percent (12%) of any gross receipts received by the Caterer for catering events at the Civic Center which exceed \$100,000.00 per fiscal year as defined below. Gross receipts as used herein is defined as the total amount charged by an Authorized Caterer including any gratuities that might be paid to the caterer or its employees (excluding only alcoholic beverages) to its customers for Civic Center catering services for a particular event during a fiscal year, from July 1 to June 30. A copy of the Caterer's invoice to its customers for such catering services shall be provided to the Civic Center Manager within ten (10) days following the completion of the same. The Civic Center fee, calculated in accordance with the terms of this provision shall be paid in full to the Civic Center Manager within thirty (30) days following the Caterer's completion of providing catering services for a particular event.

The Caterer shall maintain complete records of all costs, expenses, and charges to customers in accordance with generally accepted accounting principles, relating to catering services provided under this Agreement. The Caterer shall make available to the City upon written demand all such records for the purpose of inspecting, auditing, verifying, copying, or making extracts therefrom.

5. Independent Contractor Status. In the performance of its catering services hereunder, the Caterer shall be an independent contractor with the sole authority and sole responsibility for the control and direction of the performance of the details of its services.

6. Liability. The Caterer by its execution of this Agreement acknowledges that it has inspected the premises and equipment of the Civic Center and declares such premises and equipment to be suitable for the Caterer's purposes. The Caterer and the City agree that except as expressly agreed to the contrary in this Agreement, the City assumes no responsibility or liability for loss or damage arising out of catering services provided under this Agreement. In addition, the Caterer and the City agree that the Caterer shall assume all responsibility for property damage and bodily injury arising from its services hereunder and shall indemnify the City for the same.

7. Bond and Insurance. The Caterer shall, with the execution of this Agreement, file with the City documents showing the following minimum amounts:

A. A performance bond in the amount of \$5,000.00 which bond shall be approved by the City Attorney; and

B. An insurance certificate covering and demonstrating workers compensation compliance; and

C. An occupational disease certificate; and

D. An insurance policy naming the City of Lansing as an insured party, for general liability, \$300,000.00 per person and \$500,000.00 each occurrence; and

E. Where the scheduled event to be served by the Caterer involves the furnishing of alcoholic beverages, an insurance policy naming the City of Lansing for \$500,000.00 per person and \$1,000,000.00 each occurrence; and

F. An insurance policy naming the City of Lansing as an insured party for property damage, \$5,000.00 each accident and aggregate, \$25,000.00.

8. Assignment and Subcontracting. Any assignment or subcontracting of this agreement or any part thereof by the Caterer without the previous written permission and approval of the Civic Center Manager shall be void and of no effect. In the event any subcontracting is approved, the Caterer shall assume full responsibility for the actions, operations and services of any such subcontractors. Failure to obtain the prior approval of the Civic Center Manager before assignment or subcontracting shall constitute a material breach of this Agreement and shall terminate this Agreement immediately and any commitments the Caterer may have for service beyond the date of termination shall be forfeited.

9. Utilities. The City agrees to furnish light, heat, water, and electric for the Caterer's use without cost. The Caterer shall be responsible for providing any additional connections, extensions, or equipment and shall obtain the written authorization of the Civic Center Manager prior to installing or using the same. In addition, the Caterer shall not remove, disconnect, relocate, or alter any of the City's equipment or property without the prior express approval of the Civic Center Manager.

10. Occupancy. The City does not represent or guarantee that the Civic Center will be occupied by customers for the Caterers to serve. If for any reason, the Civic Center is unoccupied for any period or length of time, the parties hereto agree that the City shall not be responsible for any financial loss or damage the Caterer might incur.

11. Term of Agreement. This agreement shall be effective as of its date hereof and shall be renewed each year unless terminated sooner by mutual consent or by either party giving the other at least thirty days notice in writing of its desire to terminate the same. Any commitments the Caterer may have for services beyond such thirty day notice period shall be forfeited.

12. Legal Requirements, Termination. The Caterer shall be solely responsible for securing all licenses, permits or insurances required by law and shall comply with all rules and regulations issued by the Civic Center Manager and Civic Center Board, all City ordinances, laws, orders and regulations pertaining to its activities hereunder, made by any governmental authority or public regulatory body, and any fines or penalties assessed upon the Caterer, the City, or both on account of the Caterer's failure to so comply shall be borne solely by the Caterer. Failure by the Caterer to properly obtain all necessary licenses, permits or insurances required by this Agreement or failure to comply with all rules, regulations and any laws shall constitute a material breach of this Agreement and shall terminate this Agreement immediately and any commitments the Caterer may have for services beyond the date of termination shall be forfeited.

13. Changes in the Agreement. The terms of this Agreement shall not be changed, superseded, or sup-

plemented, except in a written document signed by duly authorized agents of the parties hereto.

14. Governing Law. This Agreement shall be deemed to be a Michigan contract and shall be construed in accordance with and governed by the laws of the State of Michigan.

15. Entire Agreement. With respect to the subject matter hereof, this Agreement supersedes all previous representations, understandings, and negotiations, either written or oral, between the parties hereto or their representatives, and constitutes the entire Agreement between the parties.

Witnesses:

TERRY J. McKANE,
Mayor.

RITA BAUMAN,
City Clerk

DARREL C. ASKIE
Interim Civic Center Manager

I, _____ who signed this Agreement for and on behalf of the Caterer represent that I have authority to execute this Agreement and do thereby bind the Caterer.

By WAYS AND MEANS COMMITTEE—

RESOLUTION #0534

Resolved by the City Council of the City of Lansing:

\$50,000.00 from Police-Personnel & Training Salaries

A/C 101-307-000-702

9,600.00 from Police-911 Salaries

A/C 101-309-000-702

4,000.00 from Police-Uniform Salaries

A/C 101-316-000-702

18,600.00 to Pol. Adm. Overtime—Civilian

A/C 101-305-000-709

(Additional civilian overtime required by: 1) sick leave & delay in hiring jail matron; 2) delay in hiring budget control superv. & clerk; 3) vacancy in 911 programmer/analyst position.)

\$10,000.00 from Pub. Serv. Aurelius Rd.-Landfill Maint.

A/C 101-526-000-938

10,000.00 to Pub. Serv.-Flood Control—Contractual Services

A/C 101-445-017-801

(repairs to main flood control facilities gates. Install coffer dam & perform welding repairs.)

\$1,600.00 from Park Security Wages-Temp Labor

A/C 101-695-000-707

1,600.00 to Park & Rec. Park Security—Misc. & Oper. Expense

A/C 101-695-000-741

(Boarding November thru March for two horses.)

\$2,500.00 from Major Maint. Local Sts.

A/C 101-452-615-974

2,500.00 to C.I.P Alley

A/C 101-936-608-974

(funds for reconstruction of alley going north from the 100 block of W. Kalamazoo.)

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director

APPROVED:

JAMES BLAIR
TONY BENAVIDES
PAT LINDEMANN
Ways and Means Committee

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

RESOLUTION #0535

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

\$30,000.00 from Reserve for Contingency
A/C 101-941-000-963
30,000.00 to N. Lansing Industrial Rd.—Soil Testing
A/C 101-936-413-971.1
(funds for soil testing on Paulson site property to
determine proper cost of permanent road for N. Lansing
Industrial Rd.)

Balance remaining in the Reserve for Contingency
Fund after this transfer is \$390,542.00.

I hereby certify this is a properly drawn and
eligible transfer.

JAMES W. DOWSETT,
Finance Director

APPROVED:

JAMES BLAIR
TONY BENAVIDES
PAT LINDEMANN
Ways and Means Committee

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER BLAIR, SCHMIDT—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Notice from State of Michigan Employment Relations Commission in regard to the Matter of Arbitration between—City of Lansing (Employer) and the Fraternal Order of Police Non-supervisory Unit Capital City Lodge NO. 414 (Union).

Referred to Committee on Ways and Means and Committee of the Whole.

Letter from the State of Michigan—Office of Services to the aging in regard to status of the Housing Enhanced Living project and the funding of such.

Referred to the Committee on Intergovernmental Relations.

REMARKS BY THE MAYOR

Mayor McKane congratulated all officials who were re-elected in the November 5, 1985 election.

REMARKS BY THE CITY COUNCIL

Councilmember Belen spoke in regard to funding of Food Bank and thanked all her supporters during the election.

Councilmember Adado spoke on Lansing Catholic Central and Sexton High School Football teams and their winnings, the timing of the traffic light at the corner of Cavanaugh Rd. and Mary St. and asked the Mayor to look into this, the letter in regard to employees legal fees and vandalism in the parking lot at J. W. Sexton High School.

Councilmember Schmidt asked about ordinance on raking of leaves into curb area and gutter in streets and also thanked all her supporters during the election.

Councilmember Blair thanked all his supporters during the election and commended the 2 mayoral candidates for conducting such a nice clean campaign.

Councilmember Creamer spoke on the west side parking problem at the Fisher Body location and the loitering behind the laundramat in the 900 block of West Lapeer St. lot.

Mary Haney, 1312 Roosevelt St. thanked all her supporters during her running for Councilmember at Large and said many nice things about the elected officials that won in the election.

Jay Whitney, thanked the councilmembers in regard to transfer of funds of \$30,000.00 for soil testing.

By COUNCILMEMBER CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:15 p.m.

RITA M. BAUMAN,
City Clerk.

November 12, 1985
Lansing, Michigan

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

Proceedings, November 18, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

November 18, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Schmidt, Worthington—8.

Absent: Councilman Lindemann—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Worthington.

Pledge of Allegiance.

PUBLIC HEARING

November 18, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Facilities Exemption Certificate for Lyons Savings and Loan, 111 S. Capitol Ave.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Commercial Facilities Exemption Certificate they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

November 18, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Lansing Commercial Redevelopment District for M&D Associates, 208 N. Capitol Avenue.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed district they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

November 18, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Redevelopment District for CRD-12-85, Norken Realty Co., located in the area bounded by Monroe, Larch and Cedar Sts.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed commercial redevelopment district they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

November 18, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Redevelopment District for CRD-13-85, Lewis Plumbing & Heating, Inc., 900 Terminal Road.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Commercial Redevelopment District they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

November 18, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Redevelopment District CRD-14-85, Sinn Fein, Inc., 212 South Washington Square.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Commercial Redevelopment District they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

November 18, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the

time and place set as the time for holding a public hearing on the proposed Commercial Redevelopment District for CRD-15-85, Kenneth B. Stockwell, 301 S. Washington Square.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Commercial Redevelopment District they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

November 18, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Redevelopment District for CRD-16-85, Anthony T. Randall, 303 South Washington Square.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Commercial Redevelopment District they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

November 18, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Ordinance providing for the repeal of Chapter 28 for the purpose of revising and updating the ordinance pertaining to streets and sidewalks.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed repeal of ordinance they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on General Services.

November 18, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Ordinance providing that a new Chapter 28 be added to the Code for the purpose of updating and revising the ordinance pertaining to streets and sidewalks.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Ordinance to add a new Chapter 28—Streets and Sidewalks they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on General Services.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA:

COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

No persons spoke.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been presented for licenses:

Public Driver—Richard A. Wells.

Referred to the Committee on General Services.

Suit filed in 30th Judicial Circuit Court by City Council of the City of Lansing v Oldsmobile Corp, Pennsylvania Central Railroad, Grand Trunk Railroad, City of Lansing, State Treasurer of State of Michigan, Ingham County Drain Commissioner, Board of Water and Light, Consumers Power and the Michigan Department of Transportation for Complaint and/or Application to Vacate a Portion of Cowles Street.

Referred to the Mayor and City Attorney.

Claims filed by:

a. Mr. and Mrs. Robert Madole, Greenville, Michigan, for reimbursement of automobile tire damaged by metal plate at street construction area on Ottawa St. near Seymour St.

b. Mary Ann Badar, Flint, Mi., for automobile paint damaged by city employee at City Market in an attempt to unlock car door.

c. William Mocherman, 428 E. Howe Ave., for reimbursement of towing fees due to truck being towed from parking lot after it ran out of gasoline.

Referred to the Mayor and City Attorney.

Application for Commercial Facilities Exemption Certificate filed by Frandorsen Properties, Frandor Shopping Center.

Referred to the Mayor and Committee on Economic Development.

Petition filed to construct sanitary sewer on S. Logan Street from the outlet at Annetta St. north to Lot 38 Kenbrook Subdivision (6211 S. Logan St.).

Referred to the Mayor.

James R. Caster, Caster and Associates, submits letter regarding the Poxson Building Development Site.

Referred to the Mayor and Committee on Public Properties and Safety.

Barbara Rivard submits letter protesting dog fighting.

Received and placed on file.

Michigan Department of Natural Resources submits:

a. Permit for the Board of Water & Light to construct a building within the floodplain of the Grand River.

b. Copy of letter sent to Atty. Chris Bergstrom concerning requirements for the proposed residential development of property surrounding the Solomon/Sablain Pits.

Received and placed on file.

**MAYOR'S EXECUTIVE ASSISTANT
COMMENTS ON ANY ITEM ON THE AGENDA**

Mayor's letters 3c (Reappointment of Frank L. Throop to Building Board of Appeals); 3d (Appointment of Robert Forgrave and Kevin Kevvitch as ECD Temporary Directors for the Lansing General Hospital Office Building and Americor Ventures Project); 3e (Appointment of Dale Martin and Ronald Lott as EDC Temporary Directors for Lyons Savings and Logan Project); 3f (Appointment of Nicholas Colovos and Howard Ivey as EDC Temporary Directors for Michigan State Chamber of Commerce Project) and 3g (Appointment of David Sharpe and Dennis Hurst as EDC Temporary Directors for the Interstate Foods Project).

REPORT OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

Public Driver—Richard A. Wells.

Signed:

SIDNEY WORTHINGTON
ALFREDA SCHMIDT
CHARLES CREAMER
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

**The COMMITTEE ON PUBLIC PROPERTIES &
SAFETY—**

To whom was referred the matter of signing and traffic control on streets within the Oldsmobile (B.O.C.) Complex.

Reports as follows: The Committee has approved by resolution the "no turn" sign request pursuant to recommendations by the Traffic Board, however; the committee on Public Properties & Safety hereby officially requests a 285 Review be done by the Administration to explore the possibility of vacating all city streets located within the B.O.C. complex.

Signed:

JAMES BLAIR
LOUIS ADADO
Committee on Public Properties and
Safety

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

**The COMMITTEE ON PUBLIC PROPERTIES &
SAFETY—**

To whom was referred the Mayor's report on the upgrading of traffic control at Linval Street and Norman Street reports as follows:

The Traffic Board and Mayor recommend the citizen request to change the Yield signs to Stop signs be denied. This request is denied.

Signed:

JAMES BLAIR
LOUIS ADADO
Committee on Public Properties and
Safety

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

**The COMMITTEE ON PUBLIC PROPERTIES &
SAFETY—**

To whom was referred the Mayor's report on the installation of four-way Stop signs at Linval Street and Baker Street reports as follows:

The Traffic Board and Mayor recommend the citizen request be denied. Currently Linval Street has to stop at Baker Street. This request is denied.

Signed:

JAMES BLAIR
LOUIS ADADO
Committee on Public Properties and
Safety

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

November 13, 1985

President Charles Creamer
and Members of Lansing City Council

RE: Claim of Greg O. Jones in the amount of
\$401.33

Dear President Creamer and
Members of City Council:

On June 14, 1985, Greg O. Jones submitted a claim for \$401.33 for car rental fees. Claimant states that a Public Service snowplow backed into his vehicle at the corner of Comfort and Saginaw Streets. Claimant's automotive insurance covered the entire cost of repair

to his vehicle, but the repair took 15 days and he was forced to seek an alternative source of transportation. The cost of the least expensive Hertz rental car for that period was \$401.33. Claimant's insurance did not reimburse him for the cost of replacement transportation.

Information provided by the Public Service Department confirms that a City employee did indeed back into the claimant's vehicle on March 4, 1985 while turning a City vehicle around on Saginaw Street. The employee had checked his rearview mirrors, but claimant's vehicle was in his "blind spot". The Public Service Department indicates it believed the accident was "preventable". An accident report by the Lansing Police Department also confirms the above details regarding the accident.

The terms of the City of Lansing auto negligence insurance policy appear to apply to the rental costs claimed by Mr. Jones. Based upon the above-stated facts, this office has referred this claim to Auto Owners Insurance Company for investigation and resolution.

Very truly yours,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this be referred to Auto Owners Insurance Co. for settlement.

Carried.

November 13, 1985

President Charles Creamer and
Members of the Lansing City Council

RE: Claim of Delora L. Andrews in the amount of \$163.05

Dear President Creamer and
Members of the Lansing City Council:

The City Council received a claim from Delora L. Andrews on October 21, 1985 for damage to her vehicle in the amount of \$163.05. Claimant states that her car was splattered with paint from work being done on the crosswalk at the corner of Washtenaw and Logan Streets on October 7, 1985.

The Public Service Department investigated the claim and determined that the City has a contract with Corrosion Coatings of 17821 St. Mary, Mt. Clemens, Michigan 48943 for the work in question. The contract has a provision regarding splatter protection during painting operation. Accordingly, a copy of the claim has been referred to that company for its review and resolution. Therefore, no further Council action is required at this time.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim requires no further Council

action as it has been referred to the company doing the contract work.

Carried.

November 13, 1985

President Charles Creamer and
Members of the Lansing City Council

RE: Clai of Mial Butka in the amount of \$242.00

Dear President Creamer and
Members of the Lansing City Council:

This claim was filed with the City of Lansing by Michael Butka in the amount of \$242.00. An investigation by this office has revealed that on August 30, 1985 the Claimant called 911 for an ambulance for his wife. When this call for ambulance service was received all of the Lansing Fire Department ambulances were unavailable as they were all in service.

Section 4-307.5 of the Lansing City Charter provides that the Lansing Fire Department shall:

"maintain and operate such ambulance services as the welfare of the inhabitants of the City may require and as the Court may direct."

This call being of an emergency nature, if a Lansing Fire Department ambulance had been available one would have been sent.

Therefore, based on the above facts, the law as stated above, and the recommendation of the Fire Chief, it is the recommendation of this office that this claim be paid.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of \$242.00 payable to Michael Butka.

Carried.

November 13, 1985

President Charles Creamer and
Members of the Lansing City Council

RE: Claim of Lee H. Dibble in the amount of \$195.54

Dear President Creamer and
Members of the Lansing City Council:

On September 30, 1985 City Council received a claim from Lee H. Dibble, 1604 Wood Street, in the amount of \$195.54 to replace a broken windshield. Claimant lives adjacent to the Groesbeck Golf Course and he discovered the windshield of his parked 1977 Buick Le Sabre was broken, presumably by an errant golf ball, on September 18, 1985 between 4:00 and 6:00 p.m. Claimant obtained two estimates for replacement of the windshield in the amounts of \$195.54 and \$165.14.

Investigation by the Park Department confirms the facts of the claim: the vehicle was parked facing north-

bound on Wood Street, across from the City-owned golf course, and it is probable that the right side of the windshield was damaged by a nearby golf ball.

While the operation of Lansing's golf courses may now be subject to governmental immunity, pursuant to recent case law, it has long been the policy of the City to pay claims such as this. *Ross v Consumers Power Company*, 420 Mich 567, 620 (1984).

Therefore, based upon the above facts and policy, it is the recommendation of this office that this claim be paid, but that such payment be limited to the amount of the lower repair estimate, \$165.14.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of \$165.14 payable to Lee H. Dibble.

Carried.

November 13, 1985

President Charles Creamer and
Members of the Lansing City Council

RE: Claim of Sharon Bridgewater in the amount of
\$152.13

Dear President Creamer and
Members of the Lansing City Council:

City Council received a claim on September 30 from Sharon Bridgewater, 1321 Illinois Street, for vehicle damage in the amount of \$152.13. Claimant states she was driving east on Michigan Avenue across from Frandor Plaza on September 21, 1985 at about 1:30 p.m. when she drove into an open and unmarked manhole and sustained damage to the right front wheel.

Investigation by the Public Service Department indicates the City had contracted sewer construction work at Michigan Avenue and Clippert Street during that time period. The Public Service Department referred the claim directly to the contractor, Richard Mancini Equipment Company, for resolution.

Based upon the above facts, no action by City Council is necessary at this time.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and as this claim has been referred directly to the contractor, no further Council action needs to be taken.

Carried.

November 8, 1985

President Charles Creamer and
Members of Lansing City Council

RE: Claim of Lansing Mercy Ambulance Service in
the amount of \$206.00

Dear President Creamer and
Members of Lansing City Council:

This claim was filed with the City of Lansing Mercy Ambulance Service in the amount of \$206.00. An investigation by this office has determined that the person receiving the ambulance service had Medicare which will pay for this service. On April 3, 1985 this office asked Lansing Mercy Ambulance Service to bill Medicare. Medicare has paid Lansing Mercy Ambulance Service.

Therefore, no further action need be taken by City Council in this matter.

Very truly yours,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and no further action needs to be taken by City Council in this matter.

Carried.

Received and placed on file.

November 8, 1985

President Creamer and Members
of Lansing City Council

RE: Claim of Lansing Mercy Ambulance Service in
the amount of \$136.00

Dear President Creamer and
Members of Lansing City Council:

This claim was filed with the City of Lansing by Lansing Mercy Ambulance Service in the amount of \$136.00. An investigation by this office has revealed that on March 20, 1985 when this call for ambulance service was received all of the Lansing Fire Department Ambulances were unavailable as they were in service.

Section 4.303.5 of the Charter of the City of Lansing provides that the Lansing Fire Department shall:

maintain and operate such ambulance services as the welfare of the inhabitants of the City may require and as the Council may direct."

The Lansing Fire Department indicated that the call received on March 20, 1985 was of a non-emergency nature. This being the case, even if a Lansing Fire Department ambulance had been available, it would not have been dispatched as this was a non-emergency call. A telephone conversation with the Lansing Mercy Ambulance Service revealed no additional facts which would indicate that this call was of an emergency nature.

Therefore, based upon the above stated facts, the law as stated above and the recommendation of the Fire Chief, it is the recommendation of this office that this claim be denied.

Very truly yours,

STEPHEN R. SAWYER,
City Attorney

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

November 15, 1985

President Charles Creamer and
Members of the Lansing City Council

Dear Councilmembers:

In accordance with Section 7-107 of the Lansing City Charter, I am forwarding copies of the executive transfer that have been placed on file in the City Clerk's Office by the Budget Director.

RITA M. BAUMAN,
City Clerk.

Referred to the Committee on Ways and Means.

November 14, 1985

Council President Charles Creamer
and Councilmembers

Dear President Creamer and Councilmembers:

When it became apparent that the Property Manager, Sam Clay, was planning to retire, David Purvis, the Administrative Services Director, came to me with a concern that it would be extremely difficult to find someone to replace Mr. Clay who had his mixing of training and experience as a commercial realtor, contractor and manager. I requested that the Personnel Department determine the specific requirements for the position and then investigate the available labor pool to determine if there was reason for concern. Mrs. Jackson and her staff conducted that study and have determined that while individuals are available who had some of the skills or some of the relevant experience, there was no one in the marketplace who possessed the combined skills and experience of Mr. Clay that were required to perform the role of Property Manager as it was defined.

The Personnel Department suggested that the only practical way to provide the necessary functions to the City was to divide the responsibility and create a position within the Division of Building Maintenance and Property Management, which will perform the function of buying, selling, and managing real estate for the City. Mr. Purvis, working with the Personnel staff, then devised a divisional reorganization which would implement that approach. That reorganization plan was reviewed and endorsed by the Personnel Department and the Budget Division and the individual positions were reviewed by the Job Classification Evaluation Committee to establish appropriate levels.

The new position referred to above was classified "Real Estate Administrator (36)". The City Council, on our recommendation, funded the Administration Services Department for a three month overlap between Mr. Clay and his replacement. This means that there are sufficient funds already budgeted in the appropriate account which would be available to fund this position for the remainder of the fiscal year. Since Mr. Clay will be retiring on December 23, 1985, there would be an advantage to the City in establishing this

position immediately so that there is some opportunity for Mr. Clay to familiarize the new employee with the unique features of public sector real estate administration in Lansing.

It is my intention to delete another position within this department as we implement this reorganization. However, a deletion cannot be made at this time until the Property Manager position is filled and the skill and resource blend can be finally evaluated. It is my intention that the total number of authorized positions shall not be increased over the current level.

I recommend that the City Council establish a new position, Real Estate Administrator (36), within the Building Maintenance and Property Management Division of the Administrative Services Department. I have concluded that the City has an ongoing need for the services which will be provided by such a position and that it is in the City's best interest to have a skilled, experienced individual on staff to perform such services.

Potential dollar loss in lease negotiation and other related functions warrant attention in this area. Mrs. Jackson's conclusion that the diversity of skills currently within one position cannot be replaced and necessitate a separation, prompt this recommendation. I would appreciate your consideration. Staff will be available to discuss this matter.

Sincerely,

TERRY J. MCKANE,
Mayor.

Referred to the Committee on General Services.

DATE: 11/12/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Finance Director, James Dowsett

RE: Extension of Residency Requirement for Brian
Kuchik, City Treasurer

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on General Services.

November 13, 1985

City Council President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and City Councilmembers:

I herewith submit to you for your consideration and confirmation the reappointment of Frank L. Throop to the Building Board of Appeals. The term will expire June 1989.

I trust you will give careful consideration to the reappointment of Mr. Throop to this important Board.

Best personal regards,

Sincerely,

TERRY J. McKANE,
Mayor.

Referred to the Committee on General Services.

November 14, 1985

Council President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and City Councilmembers:

I herewith submit to you for your consideration and confirmation the appointment of Robert Forgrave and Kevin Kevwitch as Temporary Directors for the Lansing General Hospital Office Building and Americor Ventures project.

Both of these gentlemen serve as Temporary Directors on other EDC projects.

I trust you will give careful consideration to the appointment of Robert Forgrave and Kevin Kevwitch to this important Economic Development Corporation project.

Best personal regards,

Sincerely,

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER ADADO—

I move that Councilmember Creamer be excused from voting on this project.

Carried.

By COUNCILMEMBER BELEN—

I move that we appoint Robert Forgrave and Kevin Kevwitch as temporary directors for the Lansing General Hospital Office Building and Americor Ventures Project.

Carried.

November 14, 1985

Council President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and City Councilmembers:

I herewith submit to you for your consideration and confirmation the appointment of Dale Martin and Ronald Lott as Temporary Directors for the Lyons Savings and Loan project.

Both of these gentlemen serve as Temporary Directors on other EDC projects.

I trust you will give careful consideration to the appointment of Dale Martin and Ronald Lott to this important Economic Development Corporation project.

Best personal regards,

Sincerely,

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER ADADO—

I move that Councilmember Blair be excused from voting on this project.

Carried.

By COUNCILMEMBER BELEN—

I move that we confirm the appointment of Dale Martin and Ronald Lott as Temporary Directors for the Lyons Savings and Loan Project.

Carried.

November 14, 1985

Council P resident Charles Creamer and
Lansing City Councilmembers

Dear President Creame and City Councilmembers:

I herewith submit to you for your consideration and confirmation the appointment of Nicholas Colovos and Howard Ivey as Temporary Directors for the Michigan State Chamber of Commerce project.

Both of these gentlemen serve as Temporary Directors on other EDC projects.

I trust you will give careful consideration to the appointment of Nick Colovos and Howard Ivey to this important Economic Development Corporation project.

Best personal regards,

Sincerely,

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER BELEN—

I move that we confirm the appointment of Nicholas Colovos and Howard Ivey as Temporary Directors for the Michigan State Chamber of Commerce Project.

Carried.

November 14, 1985

Council President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and City Councilmembers:

I herewith submit to you for your consideration and confirmation the appointment of David Sharpe and Dennis Hurst as Temporary Directors for the Interstate Foods project.

Both of these gentlemen serve as Temporary Directors on other EDC projects.

I trust you will give careful consideration to the appointment of David Sharpe and Dennis Hurst to this important Economic Development Corporation project.

Best personal regards,

Sincerely,

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER BELEN—

I move that we confirm the appointment of David Sharpe and Dennis Hurst as Temporary Directors for the Interstate Foods Project and that Dennis Hurst's residency be checked first as still living in City of Lansing.

Carried.

DATE: 11/12/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Lansing Traffic Board

RE: Parking Rates—Convention/Exhibition Center
Area

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties
and Safety.

DATE: 11/14/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director of Labor Relations

RE: FOP Supervisors Act 312 Arbitration Award

The attached correspondence is submitted for
your information.

TERRY J. McKANE,
Mayor.

Received and placed on file.

DATE: 11/12/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director of Building Safety

RE: Request for Public Hearing re: property located
at 808 East Michigan

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the

Mayor and the public hearing be set for December 9,
1985 for the demolition or make-safe of property
located at 808 E. Michigan Ave.

Carried.

DATE: 11/12/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director of Building Safety

Re: Request for Public Hearing re: property located
at 1133 North Pennsylvania

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the
Mayor and the public hearing be set for December 9,
1985 for the demolition or make-safe of property
located at 1133 North Pennsylvania.

Carried.

DATE: 11/12/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director of Building Safety

Re: Request for Public Hearing re: property located
at 121 Garden

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the
Mayor and the public hearing be set for December 9,
1985 for the demolition or make safe of property
located at 121 Garden St.

Carried.

DATE: 11/14/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Consumers Power Company

RE: Eyes and Ears Crime Prevention Program

The attached correspondence is submitted for your
information.

TERRY J. MCKANE,
Mayor.

Received and placed on file.

Council President Creamer
and Council Members

Dear President Creamer and Councilmembers:

The Grants Coordinator recently has been advised by the State Office of Services to the Aging that the City has been awarded a \$2,500 grant for the purchase of equipment for the Lansing Senior Center.

The equipment to be purchased is a Saving table top Copier and a typewriter.

Attached is a suggested resolution for your approval, accepting the funds. Thank you for your assistance and cooperation.

Sincerely,

TERRY J. MCKANE.
Mayor.

By COUNCILMEMBER SCHMIDT—

RESOLUTION #0535

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing submitted a grant application on August 1, 1985 to the State Office of Services to the Aging requesting funding for four pieces of equipment for the Lansing Senior Center at the Civic Center; and

Whereas, the four pieces of equipment were two movie projectors, one for Miller Road Center and one for Lansing Senior Center; also a table top copier and typewriter for Lansing Senior Center; and

Whereas recently notification has been received from the Director of OSA that the City has been awarded \$2,500 for the purchase of two pieces of equipment, a table top copier and a typewriter,

Now Therefore be it Resolved the Lansing City Council does accept these funds.

Adopted by the following vote:

Unanimously.

November 14, 1985

Council President Charles Creamer
and Councilmembers

Dear President Creamer and Councilmembers:

The City's United Way drive has been completed and I am pleased to report that we raised \$32,927, 96.8% of our \$34,000 goal for 1985. While we fell a little short of our goal, we did achieve an increase of \$4,927 over last year's goal and \$2,250 over last year's actual contributions. City employees continue to respond to the needs of our community, and I think we can all be proud of the effort that was made.

This year's United Way campaign is particularly notable because it was the first such campaign on

which the administration and the City's bargaining units collaborated. The campaign cabinet composed of Larry Bauer (LPD Supervisors), John Richard (LPD Non-Supervisory), Paul Hufnagel (Fire Fighters), Charyl Lemons (Teamsters, District Court), Ralph Fellows (Teamsters), Michael Peiffer (LIEU), Jackie Warr and David Purvis (administration) and support staff including Janice Wilks and Susan Wager from Personnel and Tom Korkoske from the Controller's Office, are to be commended and thanked for their work and commitment.

Planning for the 1986 United Way campaign has already begun. We will be initiating an ongoing Work Place Presence Program to heighten the knowledge and understanding of our employees concerning the work of agencies funded by the United Way as well as bringing some of those agencies into the workplace to provide direct services to our employees.

I want to thank the City Council for its continuing support of the United Way campaign effort in City government. Because of you and so many dedicated employees, it's working!

Sincerely,

TERRY J. MCKANE.
Mayor.

Received and placed on file.

DATE: 11/14/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Finance Director

RE: Interim Report on the City's Financial Position
Covering the Quarter Ending September 30, 1985

The attached correspondence is submitted for your
information.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Ways and Means.

DATE: 11/14/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Budget Director

RE: Transfer of Funds

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Ways and Means.

RESOLUTIONS

By GENERAL SERVICES—

RESOLUTION #0536

Resolved by the City Council of the City of Lansing:

Whereas the Mayo has submitted for Council consideration and confirmation the appointment of James D. Wisner to the Board of Electrical Examiners, and

Whereas, the Committee on General Services has conducted an interview with well qualified to serve on this board, now

Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially approves and confirms the appointment of James D. Wisner to the Board of Electrical Examiners for a term to expire in June, 1989.

Adopted by the following vote:

Unanimously.

By COUNCILMAN ADADO—

RESOLUTION #0537

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-10-81, on property commonly known as Frandor Shopping Center at 300 Frandor Avenue; and

Whereas, Frandorson Properties, has applied for a Commercial Facilities Exemption Certificate for renovation of an existing facility at Frandor Shopping Center; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on Frandorson's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-10-81; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, December 2, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION #0538

RESOLUTION SETTING HEARING DATE
(Accident Fund Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan held at 7:00 o'clock p.m., Michigan Time, on November 18, 1985, at which the following members were present:

Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, and Worthington, and the following were absent: none

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Belen:

Whereas, this City Council has heretofore approved a Project Area and established a Project District Area for the Accident Fund Project (the "Project") of The Economic Development Corporation of the City of Lansing (the "Issuer"); and

Whereas, Section 17 of Act No. 338 of the Michigan Public Acts of 1974, as amended, (the "Act") and Temporary Treasury Regulations Section 5f.103-2 require that in order for bonds to be issued by the Issuer to assist in the financing of the Project, this City Council conduct a public hearing, after notice, and approve the issuance of bonds, all as provided in the Act and Temporary Regulations; and

Whereas, this City Council wishes to set a date for a public hearing on a Project Plan for the Project prepared by the Issuer.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, as follows:

1. A public hearing upon the issuance of bonds in the aggregate face amount not to exceed \$7,500,000 and the Project Plan for the Project shall be held at 7 o'clock, p.m., Michigan Time, on the 9th day of December, 1985, in the City Council Chambers, 10th Floor, City Hall, in the City of Lansing, County of Ingham, State of Michigan. At such hearing, the City Council of the City of Lansing shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for the expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the proposed bond issue and the Project Plan. The governing body shall make and preserve a record of the public hearing, including all data presented thereat.

2. The City Clerk is hereby requested to publish, post, and mail notice of such hearing, such notice to be substantially in the form attached hereto, in accordance with Section 17 of the Act and Temporary Treasury Regulations Section 5f.103-2.

3. The City Clerk is hereby directed to forward three (3) certified copies of this resolution to the Secretary of the Issuer.

4. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

Yeas—Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann Schmidt and Worthington—8.

Nays—None.

Abstentions—None.

Resolution declared adopted.

STATE OF MICHIGAN)
) SS.
COUNTY OF INGHAM)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 18th day of November, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

RITA M. BAUMAN,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

**NOTICE OF PUBLIC HEARING
CITY COUNCIL OF THE CITY OF LANSING**

**PROJECT PLAN
FOR THE ECONOMIC DEVELOPMENT
CORPORATION OF THE CITY OF LANSING
ACCIDENT FUND PROJECT
AND ISSUANCE OF LIMITED OBLIGATION
REVENUE BONDS**

Notice Is Hereby Given that the City Council of the City of Lansing will hold a public hearing at 7 o'clock, p.m., in the City Council Chambers, 10th Floor, City Hall, Lansing, Michigan, on the 18th day of November, 1985, on a Project Plan prepared by The Economic Development Corporation of the City of Lansing for its Accident Fund Project (the "Project"). The Project is to be initially owned, operated and managed by and undertaken for the benefit of Accident Fund of Michigan, a membership organization/mutual insurance company.

The Project consists of the renovation and equipping of an existing office building and the construction and equipping of an addition thereto and the site therefor, to be located at 232 South Capitol Avenue, City of Lansing, County of Ingham, Michigan.

The location of the Project Area and the Project District Area in relation to highways, streets, streams or otherwise is indicated in the Project Plan.

Maps, plats, and a description of the proposed Project Plan, including the method of relocating families and individuals who will be displaced from the area, if any, are available for public inspection at the office of The Economic Development Corporation of the City of Lansing, located on the 9th Floor, City Hall, Lansing, Michigan. All aspects of the proposed Project Plan will be open for discussion at the public hearing, including the proposed issuance of limited obligation revenue bonds in the maximum principal amount of \$7,500,000 by The Economic Development Corporation of the City of Lansing to assist in financing the Project. The Project Plan contains further information about the issuance of such bonds and the financial parameters of the proposed bond issue.

The City Council will consider the approval of (i) the Project Plan and (ii) the proposed bond issue only after the public hearing has been completed.

The City Council of the City of Lansing shall provide an opportunity for interested persons to be heard

and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the proposed Project Plan and the proposed bond issue.

RITA M. BAUMAN,
Clerk, City of Lansing

Published, posted and mailed to property owners of record within the Project District Area.

**By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0539**

**RESOLUTION APPROVING PROJECT PLAN
AND ISSUANCE OF BONDS
(Fox Development Project)**

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan held at 7:00 o'clock p.m., Michigan Time, on November 18, 1985, at which the following members were present:

Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, and Worthington, and the following were absent: none

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Belen:

Whereas, this City Council has given notice pursuant to Section 17 of Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act") and Temporary Treasury Regulations Section 5f.103-2, of a public hearing which was held earlier on November 12, 1985 relative to (i) the Project Plan for the Fox Development Project (the "Project") of The Economic Development Corporation of the City of Lansing (the "Issuer") and (ii) the issuance of bonds by the Issuer to assist in the financing of the Project.

Whereas, at said public hearing, the fullest opportunity was given for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the Project Plan, and the issuance of bonds, and further, this City Council has given due consideration to all communications received in writing with reference thereto; and

Whereas, this City Council made and preserved a record of the public hearing, including all data presented thereat; and

Whereas, this City Council desires to express its approval of said Project Plan and the Project described therein and the issuance of bonds by the Issuer to assist in the financing of the Project, and wishes to request the Issuer to proceed with the Project and the financing thereof.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, as follows:

1. It is hereby determined that the Project Plan for the Project as presented constitutes a public purpose within the meaning of the Act and said Project Plan is hereby approved in its entirety based on the following considerations:

(a) The Project Plan meets the requirements set forth in Section 8 of the Act.

(b) The persons who will be active in the management of the Project for not less than one year after the approval of the Project Plan have sufficient ability and experience to manage the Plan properly.

(c) The proposed method of financing the Project is feasible and the Issuer has the ability to arrange the financing.

(d) The Project is reasonable and necessary to carry out the purposes of the Act.

2. By adoption of this resolution approving the Project Plan this City Council intends to and hereby does approve the issuance, sale and delivery of not to exceed \$4,200,000 in aggregate principal amount of limited obligation economic development bonds described in the Project Plan as is required by the Tax Equity and Fiscal Responsibility Act of 1982, and Temporary Treasury Regulations Section 5f.103-2.

3. The Issuer is hereby requested to proceed with the Project and the financing thereof.

4. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

5. The City Clerk is hereby directed to provide three (3) certified copies to the Secretary of the Issuer.

Yeas—Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann Schmidt and Worthington—8.

Nays—None.

Abstentions—None.

Resolution declared adopted.

STATE OF MICHIGAN)
) SS.
COUNTY OF INGHAM)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 18th day of November, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

RITA M. BAUMAN,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0540

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-9-85 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, at 232 South Capitol Avenue; and

Whereas, the Accident Fund of Michigan has applied for a Commercial Facilities Exemption Certificate for renovation of an existing building within

said Commercial Redevelopment District CRD-9-85; and

Whereas, a hearing was held on Accident Fund's application for an Exemption Certificate on November 12, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, the Accident Fund has met or will meet the requirements for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated November 12, 1985 attached hereto).

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the application from the Accident Fund of Michigan for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-9-85, for renovation of an existing structure, to remain in effect for a period of 12 years, and to commence with the payment of those property taxes currently due to the City of Lansing.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0541

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-9-85 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, at 232 South Capitol Avenue; and

Whereas, the Accident Fund of Michigan has applied for a Commercial Facilities Exemption Certificate for construction of a new building within said Commercial Redevelopment District CRD-9-85; and

Whereas, a hearing was held on Accident Fund's application for an Exemption Certificate on November 12, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, the Accident Fund has met or will meet the requirements for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated November 12, 1985 attached hereto).

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the application from the Accident Fund of Michigan for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-9-85, for new construction, to remain in effect for a period of 12 years, and to commence with the payment of those property taxes currently due to the City of Lansing.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0542

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-4-85 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, at 419 Cherry Street; and

Whereas, Otis Elevator Company has applied for a Commercial Facilities Exemption Certificate for construction of a new building within said Commercial Redevelopment District CRD-4-85; and

Whereas, a hearing was held on Otis Elevator's application for an Exemption Certificate on October 21, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, Otis Elevator has met or will meet the requirements for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated October 28, 1985 attached hereto).

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the application from Otis Elevator Co. for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-4-85, to remain in effect for a period of twelve (12) years.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0543

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on October 11, 1985, Speaker-Hines & Thomas, Inc. requested that the City of Lansing establish a Lansing Plant Rehabilitation District IPR-6-85 pursuant to Act 198, 1974, on property located at 3366 Remy Drive; and

Whereas, due notice has been given for a public hearing on the proposed establishment of said District; and

Whereas, at such hearing held on the 12th day of November 1985, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is located at 3366 Remy Drive, more particularly described as:

Lots 3, 4, 5, 6, and 7 of the Plat of Lantex Industrial Park, a subdivision of a part of the NW 1/4 of Section 5, T4N, R2W, City of Lansing, Ingham County, State of Michigan, according to the recorded plat thereof.

Whereas, This Council finds that this property is zoned for industrial uses and otherwise meets the requirements of P.A. 198 of 1974 and this Council's policies.

Now, Therefore, Be It Resolved the Council of the City of Lansing hereby establishes a Lansing Plant Rehabilitation District IPR-6-85 on the above described property.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—
RESOLUTION #0544

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has engaged in binding 312 arbitration with the FOP Non-Supervisors and with the FOP Supervisors; and

Whereas, an arbitration award has been made; and

Whereas, funds are available to implement this award; and

Whereas, the City wishes to implement that award expeditiously;

Now, Therefore, Be It Resolved, that the City of Lansing hereby incorporates the arbitration awards and their attendant mutually-agreed-upon items into the contractual agreements between the City of Lansing and the FOP Non-Supervisors and between the City of Lansing and the FOP Supervisors; and

Be It Further Resolved, that the Finance Department/Budget Division is hereby authorized to administratively transfer funds per the awards from the General Administration fringe benefit account to the appropriate salary and fringe benefit account.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES &
SAFETY—

RESOLUTION #0545

Resolved by the City Council of the City of Lansing:

Whereas, there has been demonstrated community interest in a Parks and Recreation youth floor hockey program, and

Whereas, there are monies available in other accounts in the Parks and Recreation budget, now

Therefore Be It Resolved, the City Council of the City of Lansing hereby authorizes a change of intent for the use of budgeted Parks and Recreation funds for the purpose of reinstating the youth floor hockey program.

Councilman Blair left the meeting.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0546

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a proposal to retain permanently "No Turn on Red" signs in the vicinity of the Oldsmobile Complex; and

Whereas, on April 25, 1985 "No Turn on Red" signs were installed as a trial measure;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the permanent installation of "No Turn on Red" signs at the following locations in the vicinity of the Oldsmobile Complex:

William St. (Westbound) at Pine St.
Pine St. (Southbound) at William St.
William St. (Westbound) at Division St.
Division St. (Southbound) at William St.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0547

Resolved by the City Council of the City of Lansing:

ACT-23-84

Whereas, Exteriors of Lansing, 212 W. Mt. Hope, has requested to purchase a portion of City property located at the NE corner of West Mt. Hope and Todd Avenues for the purpose of establishing a parking lot for their business; and

Whereas, the Lansing Planning Board has reviewed this request and recommended that:

a. The property described as

Beginning at the SE corner of Lot 11, Block 19 of Park Place Subdivision, City of Lansing, County of Ingham, Michigan, thence N. along E. prop. line 140' ± to NE corner lot 10, Block 19, Park Place Subdivision, West along N line lot 10, 30 ft, then South to S line of Lot 11 at a point 30' W of SE corner of Lot 11, thence East 30' to point of beginning be sold to Exteriors of Lansing; and

b. The property sold to Exteriors of Lansing should

retain the landscaped planter box and a screen type fence should be installed on the west boundary of this parcel the full length to buffer the remaining lots.

c. Further the remaining property should be sold as three (3) lots dimensioned as shown on Sketch 2 to the Lansing School District or other interested party for residential development.

d. Utility easements along Mt. Hope should be maintained and access to this parking area should be from the alley only and no parking would be permitted in the alley.

e. Lastly, rezoning to the appropriate uses for all parcels should be initiated by the City and the Master Plan should be amended to reflect these changes.

Whereas, the City Council Committee on Public Properties and Safety has reviewed the Planning Board recommendation and concurs therein,

Now Therefore Be It Resolved, that the City Council approves the sale of property for its fair market value in compliance with the conditions set forth by the Planning Board,

And Further Be It Resolved, that the Administration is hereby directed to ensure the transaction documentation is properly recorded.

Adopted by the following vote:

Unanimously.

By PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0548

Resolved by the City Council of the City of Lansing:

ACT 33-84

Whereas, the City desires to vacate a portion of East Street which lies within the Motor Wheel Plant south of McKinley Street, and

Whereas, the Public Service Department has checked with the other public utilities and found none south of Ferris Street (vacated).

Now, Therefore, Be It Resolved, the City Council herewith rescinds a previous resolution by the Lansing City Council dated October 8, 1928 which vacated East Street from Ferris Street to the south, but was never recorded with the Ingham County Register of Deeds and does officially resolve to vacate East Street from McKinley Street to the south, according to the following description:

Commencing at the northeast corner of lot 1, Block 1 of Lyman's Addition, thence south 357.95 feet, west 8.25 feet, south 1095 feet ± to the easterly right of way line of the C&O railroad, thence southeasterly ± 60 feet along said right of way line, thence northeasterly 15 feet ± to the east line of section 9. T4N, R2W, thence north along said section line 1318 feet ± to the south line of Lot 7 of Block 4 of Ballard's Addition extended, thence east 33 feet to the east right of way line of East Street, thence north 231 feet to the intersection of the south line of McKinley and the east line of East Street, thence west 66 feet to the point of beginning.

This vacation is subject to necessary sanitary and storm sewer easements from McKinley Street to the

south line of Ferris Street (extended and vacated), and also a strip of land 50 feet from the southwest corner of Lot 5, Block 8 and the northwest corner of Lot 7, Block 7 of Handy Home Addition Sub. to 200 feet west for a storm sewer.

Councilmember Blair returned to the meeting.

Adopted by the following vote:

Unanimously.

By PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0549

Resolved by the City Council of the City of Lansing:

ACT-32-85

Whereas, the State of Michigan has approved the construction of the State Library, Museum and Archive buildings in downtown Lansing, and

Whereas, the proposed location of the new facility is on Washtenaw Street between Sycamore and Butler, and

Whereas, the proposed design of the new facility includes:

a) conversion of Washtenaw Street to two-way traffic between Sycamore and Butler and

b) de-emphasizing movement of through traffic in front of the new facility, and

Whereas, the Michigan Department of Management and Budget requested the City of Lansing to review the proposed changes on Washtenaw Street, and

Whereas, the staff in the Planning and Municipal Development and Public Service Departments have reviewed the request from the Department of Management and Budget and recommended that in order to accommodate the proposed design of the new facility, the City should vacate the right-of-way of Washtenaw Street between Sycamore and Butler and convert Washtenaw between Pine and Logan Street to two-way traffic, and

Whereas, the Planning Division has completed an Act 285 review of the recommended vacation of Washtenaw Street right-of-way. The Lansing Planning Board reviewed the comments from the various agencies and unanimously approved the staff recommendations, and

Whereas, the City Council has received recommendations from the Mayor in concurrence with the Lansing Planning Board,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby approves

a) the vacation of the Washtenaw Street Right-of-Way between Sycamore and Butler with the city retaining all necessary easements;

b) The conversion of Washtenaw Street to two-way traffic between Pine and Logan and the implementation of any traffic operation revisions necessitated by these actions; and

Be It Further Resolved, the State of Michigan shall assume full responsibility and liability for the design,

operation and maintenance of the vacated portion of Washtenaw, and

Be It Further Resolved, the vacated right-of-way shall continue to be open to traffic on a 24 hour basis and

Be It Finally Resolved, the preceding restrictions and conditions set forth in this resolution shall be reflected in the deed to be transmitted to the State of Michigan.

Adopted by the following vote:

Unanimously.

By PUBLIC PROPERTIES & SAFETY—

RESOLUTION #0550

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a request for changes in the parking regulations on Orchard Court;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the installation of a "No Parking" 8:00 p.m. until 5:00 a.m. zone on both sides of Orchard Court from Miller Road to Conrad Avenue, and

Be It Further Resolved the Police Department is hereby requested to give this area special attention after the signs are installed.

**The following changes will be required in the City Traffic Code.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0551

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a request from Councilmember Adado for changes in the parking regulations on Maple Street;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the installation of a No Parking At Any Time zone on the north side of Maple Street from Pine Street to State Street.

The following changes will be required in the City Traffic Code:

Add: No Parking At Any Time on the north side of Maple Street from Pine Street to State Street.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0552

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a citizen request for traffic control at the intersection of Cameo Street and Joshua Street;

Now, Therefore, Be It Resolved; the Lansing City Council hereby approves the installation of a Stop sign on Cameo Street at Joshua Street.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0553

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a request from Councilmember Creamer for traffic control at the intersection of Douglas Avenue and Gary Avenue;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the installation of Stop signs on Gary Avenue at Douglas Avenue.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0554

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a citizen request to upgrade traffic control at the intersection of Ray Street and Norman Street;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the removal of Yield signs and the installation of Stop signs on Ray Street at Norman Street.

Adopted by the following vote:

Unanimously.

By PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0555

Resolved by the City Council of the City of Lansing:

Whereas, the committee has considered the Mayor's report on the upgrading of traffic control at Linval and Avon Streets, and

Whereas, there are currently yield signs on Linval at Avon, and

Whereas, the Committee determined the traffic problem could be alleviated by the placement of stop signs on Avon Street, now

Therefore Be It Resolved, the City Council of the City of Lansing hereby approves the placement of stop signs on Avon at Linval and the removal of the existant yield signs on Linval at this intersection.

Adopted by the following vote:

Unanimously.

By PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0556

Resolved by the City Council of the City of Lansing:

Whereas, the Eastside Transportation Study was submitted to the Council with the positive recommendation of the Planning Board and the Mayor's concurrence on June 24th, 1985, and

Whereas, the Committee on Public Properties and Safety has carefully reviewed and analyzed the Eastside Transportation Study, and

Whereas, this impressive document is the result of many, many hours of careful study and just plain hard work on the parts of concerned Eastside neighbors as well as city planning staff, now

Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially approves and adopts the Eastside Transportation Study, and

Be It Further Resolved, the administration is authorized to proceed forthwith on the implementation of the recommendations generated by this cooperative effort.

By COUNCILMEMBER WORTHINGTON—

I move that this be referred to the Committee of the Whole for further study.

Carried.

By PHYSICAL DEVELOPMENT COMMITTEE—

RESOLUTION #0557

Resolved by the City Council of the City of Lansing:

Cherry Hill Development Plan

Whereas, the Cherry Hill Development Plan was initiated by the Planning Division in January 1984, and;

Whereas the Plan was completed and forwarded to the Planning Board, and;

Whereas, the Planning Board held a public hearing on Tuesday, April 16, 1985 to consider the various elements of the Plan, and;

Whereas, the Planning Board on May 21, 1985 approved the Cherry Hill Plan as an amendment to the River Island Master Plan, and;

Whereas, the Physical Development Committee has reviewed the Cherry Hill Development Plan and recommends concurrence therewith;

Now, Therefore, Be It Resolved that the Lansing City Council endorses and concurs in the implementation of the Cherry Hill Development Plan.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

RESOLUTION #0558

Resolved by the City Council of the City of Lansing:

Whereas, the Dialysis Program at Edward W. Sparrow Hospital is twenty years old this year, and

Whereas, in 1965 patients with End Stage Renal Disease (ESRD) were dying in Lansing as treatment was unavailable, and

Whereas, Martin Jones, M.D., Fedon Mavromatic M.D. and B. Smookler M.D. who wanted to treat patients with ESRD travelled to Seattle Washington to meet with Dr. Scribner, a pioneer in the treatment of ESRD patients and,

Whereas, upon their return, a program was initiated and Betty Whipple was selected to set it up enabling Allen Clark to be the first patient to be dialyzed at Sparrow Hospital in November of 1965, and

Whereas, since 1965 this critical program has expanded to include several community dialysis centers as well as a significant home hemodialysis patient population, and

Whereas, the dialysis staff at Edward W. Sparrow Hospital currently cooperates with all of the area hospitals in the treatment of acute renal failure patients, now

Therefore Be It Resolved, the City Council of the City of Lansing hereby officially recognizes and applauds the remarkable achievements of the entire dialysis team at Sparrow Hospital, and

Be It Further Resolved, on the occasion of 20 years of life giving service to this community, the Council says "Congratulations and Happy Anniversary".

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

RESOLUTION #0559

Resolved by the City Council of the City of Lansing:

Whereas, the City Charter requires the City Council to adopt an annual resolution of policies and priorities to provide the Administration with guidance for development of the following fiscal year's budget; and

Whereas, the Committee on Ways and Means has reviewed budget policy ideas and suggestions from a wide variety of sources, and has assembled a recommended list for Council consideration;

Now, Therefore, Be It Resolved, the Lansing City Council hereby adopts the following policies, priorities and recommendations for development of the FY 1986-87 General Fund Budget for the City of Lansing:

POLICIES:

1. That the City maintain its essential services, with particular emphasis on public safety and upgrading conditions in neighborhoods.

2. That the Mayor's recommended budget include strategies for long-term revenue stabilization in recognition of declining funds from the federal government.

3. That the Administration shall create and maintain a special flexible unit using existing personnel resources, to provide specialized crime prevention and investigation services in neighborhoods.

4. That the Administration shall address staff and patrol needs to curb abuse and vandalism problems in City parks.

5. That the Administration prepare comparative data on how the City's existing taxation system affects single persons, average families, and retirees/senior citizens, versus alternative taxation systems including but not limited to higher emphasis on personal income tax revenue and lower emphasis on residential property tax revenue.

6. That the basic City-wide priorities adopted in 1980 and reaffirmed in 1981, 1982 (as amended), 1983 (as amended), and 1984 (as amended) be maintained as amended herein for FY 86-87.

PRIORITIES

1. MANDATED (legally required services and requisite essential operational support)

A. Public Safety: The lives and homes of our citizens are the primary concern of municipal governmental and the City's highest priorities. Full and appropriate resources shall be devoted to investigation of crimes and apprehension of criminals.

1. Life Protection—This includes uniform Police response to crime scenes accidents and civil emergencies; fire response to alarms and calls for ambulances; and Emergency Operations on civil defense, natural disasters or other such emergencies.

2. Prevention of Life-Threatening and Hazardous Conditions:

a. Building Safety—Efforts to insure proper construction and inspection for safety of public and private buildings.

b. Fire Prevention efforts such as community education and pre-fire planning; Police involvement in public education, district patrol and crime detection and prevention.

c. Security in City parks and other public areas.

3. Roads and Traffic—Maintenance of public roadways; adequate traffic control, and police enforcement of traffic laws as necessary to assure safety.

4. Public Safety Support:

a. Fleet Operations and Maintenance for Police and Fire.

b. Building Operations and Maintenance for Police, Fire and Emergency Operations

B. Public Service: Provision of basic services essential to the entire community, including:

1. Sanitation and Waste Water Treatment; Rubbish disposal and Snow Removal.

2. Sidewalk System Maintenance; Flood Control; Storm Sewer Maintenance.

3. Support Operations including Fleet Management and Maintenance.

C. Administration/Monitoring/Reporting: Legally mandated functions in the operation of municipal services and expenditure of public funds. These requirements are a legal pre-requisite for existence and operation of any government unit.

1. Monitoring of Affirmative Action/Equal Employment Opportunity programs within City government and also within economic development assistance recipient firms.

2. Elected Officials—City Council, Mayor, Clerk, District Court.

3. Financial Systems for Financial Planning—Budget development; budget administration; monitoring and reporting; procurement administration; revenue collection through assessments and income tax; and Treasury.

4. Legal Services—including ordinance preparation; legal advice; ordinance administration; review of classes and coordination of all City legal services.

5. Planning—including A-95 and other legally-required reviews; Capital Development planning and Zoning Ordinance Administration.

6. Personnel/Labor Relations.

II. DISCRETIONARY

A. Economic Development and Redevelopment activities designed to foster a strong local economic base, provide jobs and assure stability within the community.

B. Recreational Programming including sports, parks system, special events, civic activities, etc.

C. Community Agency Support including human services, community promotion, and area-wide services such as transportation, etc.

The distinction between mandated and discretionary activities does not mean lack of commitment to support and fund activities in all categories for as long as the City has resources. The three discretionary activities delineated above shall be priority discretionary activities. Also the legally-mandated services will be considered with all other City discretionary activities.

RECOMMENDATIONS

1. Request funding plan for completion of Edgewood Boulevard.

2. Request comprehensive recommendation from Mayor on master plan to allocate City government office space based on current and future needs.

3. Request long-term financial impact assessment and long-term funding plan for the Exhibition Hall.

4. Continue contributions to human services "rainy day" fund.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

RESOLUTION #0560

Resolved by the City Council of the City of Lansing:

Whereas, adult illiteracy is a significant problem in the capitol area, and

Whereas, over the last several months under the auspices of Literacy Volunteers of America (LVA) and the Michigan Adult Literacy Initiative, a group of concerned citizens have formed the Capitol Area Literacy Coalition, and

Whereas, in an effort to more clearly define the problem of illiteracy in our community and effectuate some real solutions, the Coalition has joined with several organizations to sponsor a Literacy Awareness Day on Monday, November 25th, and

Whereas, this event, to be held in Dart Auditorium from 9:00 a.m. until 4:00 p.m. will consist of a stimulating series of speakers and activities focusing on the problem of illiteracy and how we can best meet the challenges here in Lansing, now

Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially expresses its support of this worthwhile undertaking and commends the Capital Area Literacy Coalition for taking the lead, and

Be It Further Resolved, the Council officially declares, Monday, November 25th, 1985 "Literacy Awareness Day" in Lansing.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

RESOLUTION #0561

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$601,000.00 from Public Service-Parking System Fund Retained Earnings

A/C 585-000-000-395

451,000.00 to Public Service-Parking System Fund Interest-1985 Lease

(to fund interest payable on 1985 Building Authority Bonds)

A/C 585-599-985-995

150,000.00 to Parking Sys. Principal-1985 Lease

(to fund principal payment on 1985 Bldg. Auth. Bonds)

A/C 585-599-985-991

Recommended by:

JAN LAZAR,
Budget Director

I hereby certify that this is a properly drawn and eligible transfer.

JAMES DOWSETT,
Finance Director

APPROVED:

JAMES BLAIR
TONY BENAVIDES
Ways and Means Committee

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinance(s) of the City of Lansing, Michigan providing that the code of ordinances be amended by revising the district maps adopted by Section 36-6 of the Code of ordinances and to change the zoning classification for the rezoning petition Z-22-85—1600 Blk. E. Cavanaugh Road to be rezoned from "A" Residential to "DM-4" Residential District filed by Atty. Chris A. Bergstrom was introduced by Councilman Belen read a first and second time by their title(s) and referred to the Committee on Physical Development.

By COUNCILMEMBER BELEN—

RESOLUTION #0562

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, December 9, 1985 at 7:00 p.m. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving the rezoning petition Z-22-85—1600 Blk. E. Cavanaugh Road to be rezoned from "A" Residential District to "DM-4" Residential District.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER ADADO AND
WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Councilmember Adado submits notification of the advisability for creating Commercial Redevelopment Districts for city owned Urban Renewal properties in the Downtown area.

Referred to the Committee on Economic Development.

Letter from Moores Park School PTA regarding possible removal of stop signs at Moores River Drive and Davis St.

Referred to the Mayor and Traffic Board.

DATE: 11/19/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from City Attorney's Office

RE: Request for Payment of Attorney Fees in the
matter of: Preston, Ballard, et al vs. City of Lansing

The attached legal opinion is submitted for your information.

CLEOPHUS BOYD,
Executive Assistant

Referred to the Committee of the Whole.

By COMMITTEE ON ECONOMIC DEVELOPMENT—

RESOLUTION #0429

LANSING CITY COUNCIL
RESOLUTION APPROVING PROJECT AERA,
ESTABLISHING PROJECT DISTRICT AREA
AND CONFIRMING APPOINTMENT OF
ADDITIONAL DIRECTORS TO THE BOARD OF
DIRECTORS OF THE ISSUER
(Snell Environmental Group, Inc. Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan held at 7:47 o'clock p.m., Michigan Time, on September 9, 1985, at which the following members were present:

Councilman Adado, Belen, Benavides, Blair, Creamer, Schmidt, and Worthington, and the following were absent: Councilman Lindemann.

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Benavides:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, a project has been proposed (the "Project") to The Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions; and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and Project District Area for its Project to this City Council for its approval thereof.

Now, Therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer, is hereby certified as approved:

Project Area Description—Beginning at the intersection of the South line of May Street and the West line of Lot 15, Seymour's Subdivision of the SW 1/4 of Section 10, T4N, R2W, City of Lansing, Ingham County, and running thence on the South line of May Street, East 188 feet; thence South parallel with the West lot line, 270 feet; thence West 188 feet to the West Lot line; thence North on the West lot line, 270 feet to the point of beginning, City of Lansing, Ingham County, Michigan.

2. The territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area having the same description as the Project Area herein certified as approved is hereby established.

3. Pursuant to Section 20(e) of the Act, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed.

4. This City Council hereby advises and consents to the appointment by the Mayor of the City of Lansing of Ronald Lott and Nicholas Colovos as additional directors to the Board of Directors of the Issuer, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.

5. The City Clerk is hereby directed to provide three certified copies of this resolution to the Secretary of the Issuer.

Yeas—Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann Schmidt and Worthington—8.

Nays—None.

Abstentions—None.

Resolution declared adopted.

STATE OF MICHIGAN)
) SS.
COUNTY OF INGHAM)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 9th day of September, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

RITA M. BAUMAN,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON ECONOMIC
DEVELOPMENT—

RESOLUTION #0430

LANSING CITY COUNCIL

**RESOLUTION APPROVING PROJECT AREA,
ESTABLISHING PROJECT DISTRICT AREA
AND CONFIRMING APPOINTMENT OF
ADDITIONAL DIRECTORS TO THE BOARD OF
DIRECTORS OF THE ISSUER
(Lindsey Centre Partnership Project)**

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan held at 7:47 o'clock p.m., Michigan Time, on September 9, 1985, at which the following members were present:

Councilman Adado, Belen, Benavides, Blair, Creamer, Schmidt, and Worthington, and the following were absent: Councilman Lindemann.

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Benavides:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, a project has been proposed (the "Project") to The Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions; and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and Project District Area for its Project to this City Council for its approval thereof.

Now, Therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer, is hereby certified as approved:

Project Area Description—Lot 1 and 2, Block 44, Original Plat of the City of Lansing, being a part of Section 9, T4N, R2W, City of Lansing, County of Ingham, State of Michigan.

2. The territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area having the same description as the Project Area herein certified as approved is hereby established.

3. Pursuant to Section 20(e) of the Act, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed.

4. This City Council hereby advises and consents to the appointment by the Mayor of the City of Lansing of Lee Mason and Dale Martin as additional directors to the Board of Directors of the Issuer, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.

5. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

Yeas—Councilman Adado, Belen, Benavides, Blair, Creamer, Schmidt and Worthington—8.

Nays—None.

Abstentions—None.

Resolution declared adopted.

STATE OF MICHIGAN)
) SS.
COUNTY OF INGHAM)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 9th day of September, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

RITA M. BAUMAN,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

Read a proclamation to be presented later this week honoring Peter Reckell who will visit Lansing.

Weekly Construction Report on pump stations and interceptor drains given as well as Street closings announced.

REMARKS BY THE CITY COUNCIL

Councilmember Blair remarked that Riverfront park needed repairs from construction equipment used in the area behind City Market.

Councilmember Adado questions the length of time the traffic light at intersection of Logan/Mary/Cavanaugh Rd. allows people to cross Logan St.

Councilmember Schmidt reminded of the "Silver Bells in the City Celebration to be held Nov. 22 and 23, 1985.

Councilmember Creamer remarked that property at 119 E. Oakland should be inspected as to whether it should be repaired or demolished as it had been previously damaged by a fire.

By COUNCILMEMBER CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:10 P.M.

RITA M. BAUMAN
City Clerk.

November 18, 1985
Lansing, Michigan

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

Proceedings, November 25, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

November 25, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Adado.

Pledge of Allegiance.

HEARING ON PROPOSED CHANGE IN ZONING CLASSIFICATION

November 25, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983 said proposed amendment being as follows:

That the property described as:

Z-25-85—4945 and 5005 Eastlawn to be rezoned from "A" Residential District to "F" Commercial District filed by James Thelen and David Tome.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment(s).

No persons spoke.

Referred to the Committee on Physical Development.

November 25, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on

March 7, 1983 said proposed amendment being as follows:

That the property described as:

Z-26-85—2801 N. Grand River Avenue to be rezoned from "D-1" Professional Office District to "E-1" Apartment/shop District filed by Betty and Diane H. Bennett.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment(s).

No persons spoke.

Referred to the Committee on Physical Development.

PUBLIC HEARING

November 25, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Lansing Commercial Redevelopment District CRD-17-85 Americor Ventures, Inc. for property in the area bounded by Alpha St. and McLaughlin St.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed district they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

November 25, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed issuance of Bonds and Amended Project Plan for the Snell Environmental Group, Inc. Project.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Project Plan and issuance of Bonds they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

November 25, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Lansing Commercial Facilities Exemption Certificate CRD-6-85 for Universal Companies, Inc. on property at the Northwest corner of Edgewood Blvd. and South Cedar St.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed exemption certificate they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

November 25, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed make-safe or demolition of property located at 5912 Pheasant Street.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed make-safe or demolition of property they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on General Services.

November 25, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed make-safe or demolition of property located at 6205 S. Logan St.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed make-safe or demolition of property they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on General Services.

November 25, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed make-safe or demolition of property located at 6420 Hilliard Road.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed make-safe or demolition of property they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on General Services.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Communication and Petition item 4d and Resolution 2dl were pulled from the agenda.

Speakers regarding Resolution #5 (Eastside Transportation Study) were:

Eleanor Whiting, Traffic Board member, spoke in opposition.

Stephen Schultz, president of Forest View Neighborhood Association, spoke in opposition.

Ardis Oakley, 634 S. Clemens, spoke of the need for something to be done with the street narrowing so fast coming over the bridge.

Robert Hull, 425 S. Holmes, spoke in favor of the Eastside Transportation Study.

Lorrie Dingman, spoke regarding her claim for damages to automobile under letters from the City Attorney.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

Public Drivers—Jonathan Scott Hammer, Charles Lloyd, David Ward Rule.

Cabaret—Red Rail.

Referred to the Committee on General Services.

Claims filed by:

a. Jack Bergeron, 801 N. Pine St., for chain link fence damaged from limb falling on it when city removed a tree.

b. Lee H. Dibble, 1604 Wood Street, for broken window from a golf ball.

c. Joseph and Cynthia Fridgen on behalf of their daughter, Paige Joseph, for damages in regard to the city not fulfilling employment contract.

d. Jackie Knighten, 5713 Taffy Pkwy., regarding towing of automobile.

Referred to the Mayor and City Attorney.

Petition filed for rezoning Z-31-85—5542, 5600, 5614, and vacant lot south of 5614 S. Logan Street to be rezoned from "A" Residential District to "F" Commercial and "G-2" Wholesale District filed by Michael J. Markey.

Referred to the Planning Board.

Applications for Commercial Facilities Exemption Certificates filed by:

- A. Sinn Fein, Inc., 212 S. Washington Square.
- b. Norken Realty Co., between Larch and Cedar Street approximately 1/2 block north of E. Saginaw Street.
- c. Mark A. Lewis, 900 blk. Terminal Road.
- d. M&D Associates I, 208 N. Capitol Avenue.
- e. Kenneth Stockwell, 301 S. Washington Square.
- f. Anthony Randall, 303 S. Washington Square.
- g. Franderson Properties, Logan Square, 3222 S. Logan St. amending existing certificate).
- h. Franderson Properties, Logan Square, 3222 S. Logan St. (new facility).

Referred to the Mayor and Committee on Economic Development.

Ruth Heuer, CDC #4 Member, submits letter regarding Deteriorated Buildings and Apartment Units.

Referred to the Mayor and Committee on General Services.

Michigan Public Service Commission submits notice of public hearing in the matter of the compliance application of Consumers Power Company for approval of a disclosure re: Optinet, Inc.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Mayor McKane spoke regarding Mayor's letter: 3a (Proclamation—All American Buckle Up) and 3b (Request for payment of Attorney Fees: Preston, Ballard, et al vs. City of Lansing).

PROCLAMATION

Whereas: Motor vehicle crashes are the leading cause of violent deaths for people between the ages of six and fifty in the United States—more than 50,000 in 1980, and 44,241 in 1984; and

Whereas, Motor vehicle crashes account for ten times more fatalities than all other forms of transportation combined; and

Whereas, Safety belts could prevent 40 to 50 percent of the traffic fatalities and reduce the number of serious injuries by 45 to 50 percent; and

Whereas, The use of safety belts and child safety seats are known to be the best defense against the drunk and drugged driver; and

Whereas, the current nationwide economic losses resulting from traffic crashes exceed \$65 billion each year; and

Whereas, the All-American Buckle Up is a nationwide challenge asking citizens to make safety a lifetime habit by using child safety seats and wearing their safety belt every time they get into a motor vehicle; and

Whereas, the All-American Buckle Up, designated

for November 24-30, 1985, will give communities and organizations an opportunity to develop special programs to focus public attention on the utility of safety belts in saving lives; and

Whereas, the All-American Buckle Up provides the opportunity to increase safety belt usage in the United States.

Now, Therefore, I, Terry J. McKane, Mayor of the City of Lansing, by the power vested in me urge all citizens to join with me in this important national event, and call upon all to establish a goal of always using occupant protection systems while traveling in motor vehicles.

Given under my hand and the Seal of the City of Lansing this twentieth day of November in the year of Our Lord one thousand nine hundred and eighty-five.

TERRY J. MCKANE,
Mayor.

REPORT OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following Licenses and Bonds:

Public Drivers: Jonathan Scott Hammer, Charles Lloyd, David Ward Rule.

Cabaret—Red Rail.

Signed:

SIDNEY WORTHINGTON
ALFREDA SCHMIDT
CHARLES CREAMER
Committee on-General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT—

To whom was referred the following rezoning petitions:

Z-25-85—4945 and 5005 Eastlawn to be rezoned from "A" Residential District to "F" Commercial District.

Signed:

LUCILE BELEN
CHARLES CREAMER
TONY BENAVIDES
Committee on Physical Development

By COUNCILMEMBER BELEN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

November 21, 1985

President Charles Creamer and
Members of Lansing City Council

RE: Claim of Marlene K. Pugh in the amount of
\$1,200

Dear President Creamer
and Members of City Council:

On August 10, 1985 Marlene K. Pugh submitted a claim in the amount of \$1,200 for damage to her 1974 Oldsmobile. Claimant states that her vehicle was damaged while she was driving down Rockford Street on August 8, 1985. Claimant states that while traveling at approximately 20 mph the front end of her car hit a manhole which was approximately 1 3/4" above the ground causing extensive damage to her Oldsmobile. Claimant states that the street was not posted as a construction zone.

L & L. Construction was performing construction work at Rockford and Strathmore for the City on August 10, 1985. This claim was referred to L&L on September 4, 1985 for disposition.

Therefore, it is the recommendation of this office that no action need be taken regarding this claim at the present time.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and no further action need be taken regarding this claim at the present time as it was referred to the construction company for disposition.

Carried.

Mayor Terry McKane
Councilmembers

Dear Mayor and Councilmembers,

As we are all concerned about the appearance of our re-vitalized downtown area, I feel consideration of the attached resolution is appropriate.

I am requesting this matter be reviewed by the Mayor and the Council Committee on Physical Development.

Your cooperation is appreciated.

Sincerely,

PATRICK LINDEMANN,
1st Ward Councilmember

Referred to the Mayor and Committee on Physical Development.

November 21, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

At your last Council meeting, you received under Suspension of the Rules, information from the City Attorney regarding legal fees. Ms. Preston and Ms. Ballard have requested that the Council reimburse them for their legal fees involved in battling the Council on the EP retirement fiasco. The information was given to you last Monday night in order to keep you as current as possible on the issue even though it was not a complete report in that it lacked my written recommendation. I attended a Mayor's conference over the weekend and on Monday which did not give me the opportunity to provide you with my recommendation.

You and I need to come to some understanding in the spirit of cooperation. Either I give you an occasional incomplete report with the understanding that more information will follow, or else I wait for all the pieces before I give you anything, thereby placing you in a potentially embarrassing situation if the press and media see something before you do. I would appreciate your advice on this subject for future reference.

Given the fact that you are awaiting my recommendation on the subject of legal fees for two of our employees, I hereby recommend that the Council *not* pay the \$2,575 requested, nor any part of it.

Best personal regards,

TERRY J. McKane,
Mayor.

By COUNCILMEMBER ADADO—

That we do not concur in the recommendation of the Mayor and payment be made for the Attorney fees incurred by city employees and the City Clerk be and she is hereby directed to draw a warrant on the claim account payable to Andrew Goldstein in the amount of \$2,575.00. Also upon payment, the court case pending should be withdrawn with prejudice.

Discussion was held.

Adopted by the following vote:

Yeas: Councilman Adado, Belen Benavides, Creamer, Lindemann, Schmidt—6.

Nays: Councilman Worthington—1.

DATE: 11/21/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director of Lansing Planning Division,
Department of Planning & Municipal Development

RE: Z-28-85, 6841 South Cedar St.

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Physical Development.

Councilmember Blair left the meeting.

DATE: 11/21/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Planning Division, Department of Planning & Municipal Development

RE: Z-29-85, Vacant Land West of 5522 South Cedar Street

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Physical Development.

DATE: 11/19/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Building Safety

RE: Grass Assessment for July 1986 Tax Roll L-28 (\$1,433.75)

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE,
Mayor.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and the Grass Assessment for July 1986 be placed on the tax roll L-28 in the amount of \$1,433.75.

Carried.

DATE: 11/21/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Planning & Municipal Development

RE: Trash Removal Assessment for July 1986 Tax Roll (U-30) \$3,542.00

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE,
Mayor.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and the Trash Removal Assessment in the

amount of \$3,542.00 be placed on the July 1986 Tax Roll U-30.

Carried.

DATE: 11/19/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Building Safety

RE: Trash Removal Assessment for July 1986 Tax Roll U-30 (\$1,783.16)

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE,
Mayor.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the Mayor and the trash removal assessment in the amount of \$1,783.16 be placed on the July 1986 Tax Roll U-30.

Carried.

DATE: 11/19/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Planning & Municipal Development

RE: Tax Abatement Application Review
CRD-11-85, 208 North Capitol Ave.
CRD-12-85, Vacant Land south of Monroe St.,
Between Cedar and Larch Streets
CRD-13-85, 900 block, Terminal Road
CRD-14-85, 212 South Washington
CRD-15-85, 302 South Washington
CRD-16-85, 303 South Washington

The attached correspondence is submitted for your information.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Economic Development.

DATE: 11/19/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Lansing City Treasurer

RE: Summary of Ad-Valorem, Industrial Facility and Commercial Facility, Real and Personal Property Taxes spread on the July 1985 Tax Rolls, collec-

tions through the October 15th closing, delinquency balances and collection percentages.

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Ways and Means.

DATE: 11/21/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director of Planning & Municipal Development

RE: Extension of terms for Members of Citizens'
District Council No. 4.

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Physical Development.

DATE: 11/21/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Transportation Division

RE: Samantha St. and Wildwood Ave.: Stop Sign Request

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties
and Safety.

DATE: 11/21/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Transportation Division

RE: Emily Avenue and Wildwood Avenue: Stop Sign
Request

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties
and Safety.

DATE: 11/21/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Transportation Division

RE: Julia St. and Wildwood Ave.: Stop Sign Request

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties
and Safety.

DATE: 11/21/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Transportation Division

RE: Robert St. and Wildwood Ave.: Stop Sign
Request

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties
and Safety.

DATE: 11/21/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Transportation Division

RE: Fernwood Ave. and La Salle Blvd.: Stop Sign
Request

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties
and Safety.

DATE: 11/21/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Transportation Division

RE: Allen St. and Elizabeth St.: Stop/Yield Sign
Request

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

DATE: 11/21/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Transportation Division

RE: Kendon Drive and Wildwood Avenue: Yield Sign Request

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

DATE: 11/21/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Transportation Division

RE: After Study: Stop Signs on Barnes Ave. at Beal Ave.

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

DATE: 11/21/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Transportation Division

RE: Request to remove No Turn on Red restriction at Grand River/Washtenaw

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

DATE: 11/21/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Transportation Division

RE: Remove Pedestrian Signal on Lake Lansing Rd. at Motor Wheel

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

DATE: 11/21/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Transportation Division

RE: Lake Lansing Rd. at N. East Street: Traffic Signal Request

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

DATE: 11/21/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Transportation Division

RE: Request for Left Turn Phase: US-27 and Lake Lansing Rd./Douglas St.

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

DATE: 11/19/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Finance

RE: Financial Statement—Municipal Parking System
—September 30, 1985

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties
and Safety.

DATE: 11/21/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from City Controller

RE: Touche Ross and Company Management Letter
Dated October 3, 1985

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Ways and Means.

DATE: 11/19/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Budget Director

RE: Transfer of Funds

The following transfers is submitted with my con-
currence for your action.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Ways and Means.

November 25, 1985

Council President Creamer
and Members of City Council

RE: Offer of Land by Francis Fine and Ronald
Radway

Dear Council Members:

I have received from Mr. Francis Fine an offer of
approximately sixty (60) acres in southwest Lansing.
This parcel, as outlined on the attached drawing, is ad-
jacent to Blanche Fine Park which fronts on the
Grand River.

Currently the Blanche Fine property is unde-
veloped. Planned improvements are limited to public
access since the parcel is largely mature trees and
serves as an outstanding natural area. It is Mr. Fine's
interest that both parcels be improved and/or
developed, perhaps in the next three year period.

Your early review of this matter is important since
the current owners would like a timely decision by the
City of Lansing.

Sincerely,

TERRY J. McKANE.
Mayor.

Referred to the Committee on Public Properties
and Safety and Physical Development.

DATE: 11/21/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Human Relations Director

RE: Cameron Tool Corporation: Tax Abatement
Applicant

The attached correspondence is submitted for your
information.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Economic Develop-
ment.

RESOLUTIONS

RESOLUTION #563

By GENERAL SERVICES COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the City's personnel ordinance and per-
sonnel rules require all department and division heads
to be full-time residents of the City as a condition of
employment; and

Whereas, City Treasurer Brain Kuchik was ap-
pointed May 6, 1985, while a permanent resident of
Ann Arbor, and the six-month grace period for Mr.
Kuchik to comply with the residency requirement ex-
pired November 6, 1985; and

Whereas, the Finance Director and the Mayor have
recommended a three-month waiver of the residency
requirement for Mr. Kuchik because he has been
unable to sell his Ann Arbor home, despite several
reductions in the asking price; and

Whereas, the Committee on General Services has
reviewed this recommendation plus a supporting letter
from an Ann Arbor realtor detailing the efforts made
to sell Mr. Kuchik's property, and endorse the waiver
recommendation;

Now, Therefore, Be It Resolved, the Lansing City
Council hereby approves a waiver of the City Resi-
dency Requirement for Treasurer Brian Kuchik until
February 6, 1986; and

Be It Further Resolved the City Council hereby an-
nounces its intent that no further waivers of this im-
portant requirement will be granted to Mr. Kuchik
after February 6, 1986.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #564

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on October 17, 1985, by M&D Associates I, this Council was petitioned to establish a Lansing Commercial Redevelopment District CRD-11-85, pursuant to Public Act 255 of 1978; and

Whereas, due notice has been given for a public hearing on said petition; and

Whereas, at such hearing held on the 18th day of November, 1985, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is located at 208 N. Capitol Ave., Lansing, Michigan, more particularly described as:

Lot #8, except the west 72 ft. of the south 2 ft., and all of lot 9, Block 96, Original Plot of the City of Lansing, Ingham County, Michigan.

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for commercial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity.

Now, Therefore, Be It Resolved the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-11-85 on the above described property.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #565

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on October 30, 1985, by Norken Realty, Co., this Council was petitioned to establish a Lansing Commercial Redevelopment District CRD-12-85, pursuant to Public Act 255 of 1978; and

Whereas, due notice has been given for an public hearing on said petition; and

Whereas, at such hearing held on the 18th day of November, 1985, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is located in the area bounded by Monroe, Larch and Cedar St., Lansing, MI, more particularly described as:

All of lots 7, 8, and 10, plus the North 33 ft. of Lot 11, plus the West 49.5 ft. of the South 32 ft. of lot 9 and all of the North 34 ft. of lot 9, Block 17, original plat, City of Lansing.

Whereas, after considering all the testimony presented to this Council, this Council has determined

that the proposed District is zoned for commercial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity.

Now, Therefore, Be It Resolved the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-12-85 on the above described property.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #566

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on October 30, 1985, by Lewis Plumbing & Heating Inc., this Council was petitioned to establish a Lansing Commercial Redevelopment District CRD-13-85, pursuant to Public Act 255 of 1978; and

Whereas, due notice has been given for a public hearing on said petition; and

Whereas, at such hearing held on the 18th day of November, 1985, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is located in the 900 block of Terminal Road, Lansing, Michigan, more particularly described as:

Lot #3, Capitol City Warehousing Subdivision, City of Lansing, Ingham County, Michigan.

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for commercial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity.

Now, Therefore, Be It Resolved the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-13-85 on the above described property.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #567

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on October 30, 1985, by Sinn, Fein, Inc., this Council was petitioned to establish a Lansing Commercial Redevelopment District CRD-14-85, pursuant to Public Act 255 of 1978; and

Whereas, due notice has been given for a public hearing on said petition; and

Whereas, at such hearing held on the 18th day of November, 1985, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is located at 212 S. Washington Square, Lansing, Michigan, more particularly described as:

Lot #19, Board of State Auditors Subdivision, of East 1/2 of Block 115, original plat of City of Lansing, Ingham County, Michigan.

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for commercial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity.

Now, Therefore, Be It Resolved, the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-14-85 on the above described property.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #568

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on October 31, 1985, by Kenneth B. Stockwell, this Council was petitioned to establish a Lansing Commercial Redevelopment District CRD-15-85, pursuant to Public Act 255 of 1978; and

Whereas, due notice has been given for a public hearing on said petition; and

Whereas, at such hearing held on the 18th day of November, 1985, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is located at 301 S. Washington Square, Lansing, Michigan, more particularly described as:

North 22 ft. of the West 100 ft. of lot 12, Block 129, Original Plat of the City of Lansing, Ingham County, Michigan.

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for commercial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity.

Now, Therefore, Be It Resolved the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-15-85 on the above described property.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #569

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on November 1,

1985 by Anthony T. Randall, this Council was petitioned to establish a Lansing Commercial Redevelopment District CRD-16-85, pursuant to Public Act 255 of 1978; and

Whereas, due notice has been given for a public hearing on said petition; and

Whereas, at such hearing held on the 18th day of November, 1985, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is located at 3030 S. Washington Square, Lansing, Michigan, more particularly described as:

South 22 ft. of the North 44 ft. of the West 100 ft. of lot 12, Block 129, Original Plat of the City of Lansing, Ingham County, Michigan.

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for commercial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity.

Now, Therefore, Be It Resolved, the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-16-85 on the above described property.

Adopted by the following vote:

Unanimously.

Councilmember Blair returned to the meeting.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #570

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has amended the existing Lansing Industrial Development Districts IPR-1-81 & IPR-4-78 in the City of Lansing, pursuant to Public Act 198 of 1974, as amended, at 1800 & 1818 Bassett Avenue; and

Whereas, Cameron Tool Corp. has submitted an application for an Industrial Facilities Exemption Certificate for expansion of the facility and addition of equipment within said Industrial Development Plant District; and

Whereas, a hearing was held on Cameron's Tool's application for an Exemption Certificate on November 12, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, Cameron Tool Corp. has met the requirements for said Exemption Certificate as required by Public Act 198 and by the policies of this Council; and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of tax-

ing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated November 12, 1985, attached hereto).

Now, Therefore, Be It Resolved the Council of the City of Lansing approves the application from Cameron Tool Corp. for an Exemption Certificate in Lansing Plan Rehabilitation District IPR-1-81 & IPR-4-78, to remain in effect for a period of twelve (12) years.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #571

LANSING CITY COUNCIL
RESOLUTION APPROVING PROJECT AREA,
ESTABLISHING PROJECT DISTRICT AREA
AND CONFIRMING APPOINTMENT OF
ADDITIONAL DIRECTORS TO THE BOARD OF
DIRECTORS OF THE ISSUER
(Michigan State Chamber of Commerce Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan held at 7:00 o'clock p.m., Michigan Time, on November 25, 1985, at which the following members were present:

Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, and Worthington, and the following were absent: none

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Belen:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1978, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, a project has been proposed (the "Project") to The Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions; and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and Project District Area for its Project to this City Council for its approval thereof.

Now, Therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer, is hereby certified as approved:

"See Exhibit "A"

2. The territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area having the same description as the Project Area herein certified as approved is hereby established.

3. Pursuant to Section 20(3) of the Act, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed.

This City Council hereby advises and consents to the appointment by the Mayor of the City of Lansing of Nicholas Colovos and Howard Ivey as additional directors to the Board of Directors of the Issuer, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.

5. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

Yeas—Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann Schmidt and Worthington—8.

Nays—None.

Abstentions—None.

Resolution declared adopted.

STATE OF MICHIGAN)
) SS.
COUNTY OF INGHAM)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 25th day of November, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

RITA M. BAUMAN,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER ADADO—

That Councilmembers Creamer be excused from voting on this resolution.

Carried.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #572

LANSING CITY COUNCIL
RESOLUTION APPROVING PROJECT AREA,
ESTABLISHING PROJECT DISTRICT AREA
AND CONFIRMING APPOINTMENT OF
ADDITIONAL DIRECTORS TO THE BOARD
OF DIRECTORS OF THE ISSUER
(Americor Ventures, Inc. Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan held at 7:00 o'clock p.m., Michigan Time, on November 25, 1985, at which the following members were present:

Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, and Worthington, and the following were absent: none

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Belen:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1978, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, a project has been proposed (the "Project") to The Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions; and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and Project District Area for its Project to this City Council for its approval thereof.

Now, Therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer, is hereby certified as approved:

See Exhibit "A"

2. The territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area having the same description as the Project Area herein certified as approved is hereby established.

3. Pursuant to Section 20(b) of the Act, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed.

4. This City Council hereby advises and consents to the appointment by the Mayor of the City of Lansing of Kevin Kewitch and Robert Forgrave as additional directors to the Board of Directors of the Issuer, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.

5. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

Yeas—Councilman Adado, Belen, Benavides, Blair, Lindemann Schmidt and Worthington—8.

Nays—None.

Abstentions—Councilmember Creamer—1.

Resolution declared adopted.

STATE OF MICHIGAN)
) SS.
COUNTY OF INGHAM)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 25th day of November, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

RITA M. BAUMAN,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER ADADO—

That Councilmember Creamer be excused from voting on this resolution.

Carried.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION #573

LANSING CITY COUNCIL
RESOLUTION APPROVING PROJECT AREA,
ESTABLISHING PROJECT DISTRICT AREA
AND CONFIRMING APPOINTMENT OF
ADDITIONAL DIRECTORS TO THE BOARD OF
DIRECTORS OF THE ISSUER
(LGH Office Building Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan held at 7:00 o'clock p.m., Michigan Time, on November 25, 1985, at which the following members were present:

Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, and Worthington, and the following were absent: none

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Belen:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1978, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, a project has been proposed (the "Project") to The Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions; and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and Project District Area for its Project to this City Council for its approval thereof.

Now, Therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer, is hereby certified as approved:

See Exhibit "A"

2. The territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area having the same description as the Project Area herein certified as approved is hereby established.

Pursuant to Section 20(b) of the Act, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed.

This City Council hereby advises and consents to the appointment by the Mayor of the City of Lansing of Kevin Kewitch and Robert Forgrave as additional directors to the Board of Directors of the Issuer, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.

The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

Yeas—Councilman Adado, Belen, Benavides, Blair, Lindemann Schmidt and Worthington—8.

Nays—None.

Abstentions—Councilmember Creamer—1.

Resolution declared adopted.

STATE OF MICHIGAN)
) SS.
COUNTY OF INGHAM)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 25th day of November, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

RITA M. BAUMAN,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #574

LANSING CITY COUNCIL
RESOLUTION APPROVING PROJECT AREA,
ESTABLISHING PROJECT DISTRICT AREA
AND CONFIRMING APPOINTMENT OF
ADDITIONAL DIRECTORS TO THE BOARD OF
DIRECTORS OF THE ISSUER
(Interstate Foods, Inc. Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan held at 7:00 o'clock p.m., Michigan Time, on November 25, 1985, at which the following members were present:

Councilman Adado, Belen, Benavides, Blair,

Creamer, Lindemann, Schmidt, and Worthington, and the following were absent: none

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Belen:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1978, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, a project has been proposed (the "Project") to The Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions; and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and Project District Area for its Project to this City Council for its approval thereof.

Now, Therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer, is hereby certified as approved:

See Exhibit "A"

2. The territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area having the same description as the Project Area herein certified as approved is hereby established.

Pursuant to Section 20(b) of the Act, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed.

This City Council hereby advises and consents to the appointment by the Mayor of the City of Lansing of David Sharpe and Dennis Hurst as additional directors to the Board of Directors of the Issuer, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.

The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

Yeas—Councilman Creamer, Adado, Belen, Benavides, Blair, Lindemann Schmidt and Worthington—8.

Nays—None.

Abstentions—none.

Resolution declared adopted.

STATE OF MICHIGAN)
) SS.
COUNTY OF INGHAM)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 25th day of November, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

RITA M. BAUMAN,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER ADADO—

That Councilmember Blair be excused from voting on this resolution.

Carried.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #575

LANSING CITY COUNCIL
RESOLUTION APPROVING PROJECT AREA,
ESTABLISHING PROJECT DISTRICT AREA
AND CONFIRMING APPOINTMENT OF
ADDITIONAL DIRECTORS TO THE BOARD OF
DIRECTORS OF THE ISSUER
(Lyons Savings & Loan Association Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan held at 7:00 o'clock p.m., Michigan Time, on November 25, 1985, at which the following members were present:

Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, and Worthington, and the following were absent: none

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Belen:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1978, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, a project has been proposed (the "Project") to The Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions; and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and Project District Area for its Project to this City Council for its approval thereof.

Now, Therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer, is hereby certified as approved:

See Exhibit "A"

2. The territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area having the same description as the Project Area herein certified as approved is hereby established.

Pursuant to Section 20(b) of the Act, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed.

This City Council hereby advises and consents to the appointment by the Mayor of the City of Lansing of Dale Martin and Ronald Lott as additional directors to the Board of Directors of the Issuer, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.

The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

Yeas—Councilman Creamer, Adado, Belen, Benavides, Lindemann Schmidt and Worthington—8.

Nays—None.

Abstentions—Councilmember Blair—1.

Resolution declared adopted.

STATE OF MICHIGAN)
) SS.
COUNTY OF INGHAM)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 25th day of November, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

RITA M. BAUMAN,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #576

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-11-85, on property commonly known as 208 N. Capitol Avenue; and

Whereas, M&D Associates, I, has applied for a Commercial Facilities Exemption Certificate for renovation of an existing facility at 208 N. Capitol Avenue; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on M&D

Associates' application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-11-85; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, December 9, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #577

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-12-85, in the area bounded by Monroe, Larch and Cedar Street; and

Whereas, Norken Realty Co., has applied for a Commercial Facilities Exemption Certificate for construction of a new facility in the area bounded by Monroe, Larch and Cedar Streets; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on Norken's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) day notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-12-85; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, December 9, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #578

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a

Lansing Commercial Redevelopment District CRD-13-85, in the 900 block of Terminal Road; and

Whereas, Mark A. Lewis has applied for a Commercial Facilities Exemption Certificate for construction of a new facility in this area; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on Mark A. Lewis's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-13-85; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, December 9, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #579

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-14-85, at 212 S. Washington Square; and

Whereas, Sinn Fein, Inc. has applied for a Commercial Facilities Exemption Certificate for renovation of an existing facility at 212 S. Washington Square; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on Sinn Fein's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-14-85; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, December 9, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION 580

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-15-85, at 301 S. Washington Square; and

Whereas, Kenneth Stockwell has applied for a Commercial Facilities Exemption Certificate for renovation of an existing facility at 301 S. Washington Square; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on Kenneth Stockwell's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-15-85; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, December 9, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #581

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-16-85, at 303 S. Washington Square; and

Whereas, Anthony Randall has applied for a Commercial Facilities Exemption Certificate for renovation of an existing facility at 303 S. Washington Square; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on Anthony Randall's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-16-85; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor

of Lansing City Hall on Monday, December 9, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION 582

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District CRD-18-85, proposed by The City of Lansing, for a parcel of land known as Urban Renewal Parcel #6 and more particularly described as:

The West 100 ft. of the North 132 ft. of block 67, Original Plat, City of Lansing, Ingham County, Michigan.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District; and

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 9th day of December 1985, at 7:00 p.m., and that notice of such hearing be published in a publication of general circulation in said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #583

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District CRD-19-85, proposed by the City of Lansing, for a parcel of land known as Urban Renewal Parcel #12, and more particularly described as:

The North 3 ft. of Lot 7, all of Lots 8 and 9 of Jones Subdivision of Lots 6 and 7 of block 97 in the City of Lansing; also the West 44 ft of the South 73 ft. of Lot 4, the South 73 ft. of Lot 5 and the North 47 ft. of the West 10 ft. of the East 32 Ft. of Lot 7, all in Block 97 Original Plat Town of Michigan, City of Lansing, Ingham County, Michigan.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District; and

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 9th day of December 1985, at 7:00 p.m., and that notice of such hearing be published in a publication of general circulation in said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #584

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District CRD-20-85, proposed by the City of Lansing, for a parcel of land known as Urban Renewal Parcel #10, and more particularly described as:

The East 140 ft. of Lots 5 and 6 also vacated Washington Square commencing at the SE corner Lot 6, thence East 5 ft., North 132 ft, West 5 ft, South 132 ft. to a point of beginning, Block 96, Original Plat, Town of Michigan, City of Lansing, Ingham County, Michigan.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District; and

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 9th day of December 1985, at 7:00 p.m., and that notice of such hearing be published in a publication of general circulation in said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #585

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District CRD-21-85, proposed by the City of Lansing, for a parcel of land known as Urban Renewal Parcel #5B1 & 5C1, and more particularly described as:

The South 126 ft. of the North 246 ft. of the East 180 ft. of Block 83, Original Plat, Town of Michigan, City of Lansing, Ingham County, Michigan.

Now, Therefore, Be It Resolved, that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District; and

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 9th day of December 1985, at 7:00 p.m., and that notice of such hearing be published in a publication of general circulation in said City.

Adopted by the following vote:

Unanimously.

By COUNCILMAN ADADO—

RESOLUTION #586

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-2-81, on property at 3222 S. Logan, known as Logan Square; and

Whereas, Frandorson Properties, has applied for a Commercial Facilities Exemption Certificate for renovation of an existing facility at Logan Square; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on Frandorson Property's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-2-81; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, December 9, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By COUNCILMAN ADADO—

RESOLUTION #587

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-2-81, on property at 3222 S. Logan, known as Logan Square; and

Whereas, Frandorson Properties, has applied for a Commercial Facilities Exemption Certificate for construction of a new facility at Logan Square; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on Frandorson Property's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-2-81; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor

of Lansing City Hall on Monday, December 9, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #588

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council passed an ordinance on June 24, 1985 permitting the towing of vehicles illegally parked in no parking zones; and

Whereas, the City Attorney has advised the Committee on Public Properties and Safety that these illegally parked vehicles may be towed after "TOW AWAY ZONE" warning signs have been posted; and

Whereas, the Transportation Engineer has requested the concurrence of the Lansing City Council in the placement of these "TOW AWAY ZONE" signs on various streets in the City;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby authorizes the establishment of tow away zones and the placement of "TOW AWAY ZONE" warning signs on the following streets:

By COUNCILMEMBER WORTHINGTON—

That this resolution be amended by adding a new paragraph at the end to read:

"Be It Finally resolved that "Tow Away Zone" shall apply to any public alleys connected to/or adjacent to these streets".

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

By PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #589

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a proposal for changes in the parking rates for monthly permits in Lot 37 at the Convention/Exhibition Center;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the increase from \$10.00/month to \$17.00/month for monthly parking permits in Lot 37 at the Convention/Exhibition Center.

Adopted by the following vote:

Unanimously.

STREET	FROM	TO	SIDE
Drexel	Jenison	100' West of Jenison	N
Drexel	Jenison	100' West of Jenison	S
Durant	Osborn	Drexel	E
Forbes	Verlinden	Inverness	Both
Forbes	Ottawa	Spencer	N
Forbes	Spencer	Inverness	N
Fulton	Osborn	Drexel	E
Genesee N.	Verlinden	Stanley	S
Genesee N.	Verlinden	100' W of Verlinden	N
Genesee S.	Verlinden	Memphis	Both
Inverness	Verlinden	Ionia	S
Inverness	Ionia	Forbes	N
Inverness	Forbes	Alley	N
Inverness	Alley	Verlinden	N
Jenison	Michigan	Saginaw	E
Memphis	Forbes	Shiawassee	E
Memphis	Shiawassee	S. Genesee	E
Memphis	Shiawassee	Forbes	W
Michigan	Jenison	200' W. of Verlinden	N
Michigan	City Limits	250' W. of Verlinden	S
Michigan	250' W. of Verlinden	McPherson	S
Michigan	McPherson	200' East of McPherson	S
Osborn	Stanley	S. Genesee	S
Osborn	Stanley	Verlinden	N
Spencer	Ottawa	Forbes	E
Stanley	Drexel	Osborn	Both
Shiawassee	Verlinden	Ionia	Both
Verlinden	Michigan	Saginaw	E
Verlinden	N. Genesee	100' N. of S. Genesee	W
Verlinden	100' S. of Shiawassee	Michigan	W

By PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #590

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a Transportation Division request for changes in the parking regulations on Ottawa Street between Cedar Street and Larch Street;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the installation of ten (10) hour parking meters on the north side of Ottawa Street between Cedar Street and Larch Street at a rate of 25 cents per hour.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #591

Resolved by the City Council of the City of Lansing:

ACT-31-85
401 Verlinden

Whereas, the Buick-Oldsmobile-Cadillac Group (BOC) of General Motors Corporation has requested to use public right-of-way between the curb and sidewalk for a distance of 88 feet north and 43 feet south of the main pedestrian entrance to the BOC Plant at 401 Verlinden Avenue; and

Whereas the petitioner wishes to improve the pedestrian access and reduce maintenance problems in this area; and

Whereas the petitioner has agreed to an alternative planting/paving scheme as outlined in the report of the Planning Board which recommends approval of said Plan; and

Whereas the Committee on Public Properties and Safety concurs in the report of the Planning Board and the drawing as approved by committee members on November 14, 1985;

Now, Therefore, Be It Resolved that the Lansing City Council grant the Buick-Oldsmobile-Cadillac Group of General Motors Corporation use of the public right-of-way 43 feet south and 88 feet north of the main entrance at 401 Verlinden Avenue, as approved by the Public Properties Committee, to improve pedestrian access, reduce maintenance and enhance overall appearance of the area.

By COUNCILMEMBER BLAIR—

That Councilmember Worthington be excused from voting on this resolution.

Carried.

The resolution was adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

RESOLUTION #592

Resolved by the City Council of the City of Lansing:

Whereas, the Eastside Transportation Study was submitted to the Council with the positive recommendation of the Planning Board and the Mayor's concurrence on June 24th, 1985, and

Whereas, the Committee on Public Properties and Safety has carefully reviewed and analyzed the Eastside Transportation Study, and

Whereas, this impressive document is the result of many, many hours of careful study and just plain hard work on the parts of concerned Eastside neighbors as well as city planning staff, now

Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially approves and adopts the Eastside Transportation Study, and

Be It Further Resolved, the administration is authorized to proceed forthwith on the implementation of the recommendations generated by this cooperative effort.

By COUNCILMEMBER LINDEMANN—

That this resolution be referred to the Committee on Public Properties and Safety.

By COUNCILMEMBER WORTHINGTON—

I have a substitute resolution I would like to introduce.

Discussion held.

President Creamer referred the resolution to Committee on Public Properties and Safety.

Councilmember Blair challenged the Chair stating there was a motion on the floor and should be voted on.

Councilmember Worthington withdrew his motion.

Councilmember Blair withdrew his challenge.

Council President Creamer referred the resolution to the Committee on Public Properties and Safety.

By COUNCILMEMBER SCHMIDT—

I move the rest of the agenda.

Motion carried with Councilmember Adado voting no.

By WAYS AND MEANS COMMITTEE—

RESOLUTION #593

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$6,350.00 from Public Service Parking—North
Grand Garage Wages—Temporary
A/C 585-571-453-707
6,350.00 to Public Service/Parking Admin. & General
Wages—Temporary
A/C 585-536-000-707

(to facilitate mailing of soft & final ticket notices. Help needed due to delay resulting from phased implementation of new parking ticket computer program).

\$4,985,740.84 from Public Service/Sewage Disposal System Fund Reserve for Construction
A/C 590-000-000-393.2

4,985,740.84 to Public Service/Sewage Disposal System Fund Segment 3 contingency
A/C 591-590-003-963

(to appropriate bond proceeds for City share of Segment III Sewage Construction)

Recommended by:

JAN LAZAR,
Budget Director

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

APPROVED:

JAMES BLAIR
PAT LINDEMANN
TONY BENAVIDES
Ways and Means Committee

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCE(S)

The following ordinance(s) of the City of Lansing, Michigan providing that the code of ordinances be amended by providing that a new section 31-49.1 for the purpose of establishing Special Parking Zones within the City of Lansing was introduced by Councilman Lindemann read a first and second time by its title(s) and referred to the Committee on Public Properties and Safety.

By COUNCILMEMBER LINDEMANN—

RESOLUTION #594

Resolved by the City Council of the City of Lansing:

That a public hearing be set for 7:00 p.m. in the City Council Chambers, 10th Floor, City Hall, for the Ordinance adding a new section 31-49.1 for the purpose of establishing Special Parking Zones within the City of Lansing to be held on December 2, 1985.

Adopted by the following vote:

Unanimously.

ORDINANCES

By COUNCILMEMBER BELEN—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Mich. and for the revision of the district maps adopted by Section 36-6 of the code for property located at:

Z-25-85—4945 and 5005 Eastlawn to be rezoned from "A" Residential District to "F" Commercial District.

And recommended that the ordinance be passed.

By COUNCILMEMBER BELEN—

I move that the first reading of this Ordinance be considered as being read in its entirety.

Carried.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the Code for property located at:

Z-25-85—4945 and 5005 Eastlawn

To be rezoned from "A" Residential District to "F" Commercial District be placed on order of immediate passage.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-25-85—4945 and 5005 Eastlawn to be rezoned from "A" Residential District to "F" Commercial District be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2173

An Ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number—Z-25-85, 4945 and 5005 Eastlawn

Parcel Number—3301-35-377-011 and 3301-35-377-001

Legal Description: 3301-35-377-011—Commencing at the northwest corner of Lot 43, Green Acres Sub.; thence north 1 deg. east 25 feet, west 177 feet, south 1 deg. west 269.6 feet east 177 feet to

southwest corner Green Acres Sub., north 1 deg. east 244.6 feet to beginning, except south 50 feet, Section 35, T4N, R2W, City of Lansing, Ingham County, Michigan.

3301-35-377-001—Lot 43, except south 17 feet, Green Acres Sub., City of Lansing, Ingham County, Michigan.

From "A" Residential District to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

November 21, 1985

President Charles Creamer and
Members of the Lansing City Council

Re: Claim of Lorrie A. Dingman in the amount
of \$539.70.

Dear President Creamer and
Members of the Lansing City Council:

On July 10, 1985, Lorrie A. Dingman submitted a claim for damage to her automobile in the amount of \$539.70. Claimant states that on November 22, 1984 at approximately 2:15 a.m. in a private parking lot in the 3600 block of S. Logan she was involved in an automobile accident with a Lansing Police Department vehicle. Claimant states that as she was pulling into an empty vertical parking spot the LPD vehicle backed into her.

A report prepared by Lansing Police Department indicates that at approximately 2:10 a.m. a police officer was in the private parking lot at 3600 S. Logan to disperse a crowd. The police vehicle was backing next to the wall into a vacant parking spot when Claimant's vehicle made a hard right turn behind the LPD vehicle. The LPD vehicle attempted to stop but could not avoid a collision because of the suddenness of the hard right turn.

Michigan Statutory Law states that a municipality is liable for property damage resulting from the negligent operation of a motor vehicle by an employee. MCLA 691.1405. That liability is limited, however, under the provisions of "no fault" automobile insurance law. The facts of this particular case do not support a finding that the employee was negligent in the operation of the motor vehicle. Apparently, the employee exercised due care and prudence in attempting to back the motor vehicle into the parking spot. In addition, Auto Owners investigated this claim. Auto Owners states that as a result of the investigation their office would deny a claim for damage to the Claimant's vehicle.

Therefore, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

STEPHEN K. SAWYER,
City Attorney.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

By COUNCILMEMBER ADADO—

RESOLUTION #595

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on October 3, 1985, by Walter Neller Enterprises, Inc., this Council was petitioned to establish a Lansing Commercial Redevelopment District CRD-10-85, pursuant to Public Act 255 of 1978; and

Whereas, due notice has been given for a public hearing on said petition; and

Whereas, at such hearing held on the 4th day of November, 1985, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is located at 1322 E. Michigan Avenue, Lansing, Michigan, more particularly described as:

Lot 6, Assessor's Plat No. 17, City of Lansing, Ingham County, Michigan.

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for commercial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity.

Now, Therefore, Be It Resolved the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-10-85 on the above described property.

Adopted by the following vote:

Unanimously.

REMARKS BY THE MAYOR

Mayor McKane spoke of the work being done on the Willard Street Dike.

REMARKS BY THE CITY COUNCIL

Councilmember Adado spoke regarding council proceedings being held up because the City Attorney's office has not read the Ordinance on Retirement regarding Section 26-23 (c) adopted by City Council on September 30, 1985.

Councilmember Schmidt spoke of the sewer life work hold up in the Sycamore Creek Area.

Councilmember Creamer extended sympathy to the family of Brian Kuchik, City Treasurer, on the death of their son.

Brenda Ballard, Employee of the Redevelopment Dept. thanked City Council for payment of attorney's fees and their work on the Retirement Ordinance.

Margaret Herp, retired city employee, thanked council on behalf of the retirees for their payment of attorney's fees in connection with the Retirement Ordinance withdrawal.

Janet Smith, So. Clemens St., spoke regarding sewer construction in their area taking so long and having no place to park their automobiles. Their driveways have been closed for three weeks and police are issuing tickets and having their automobiles towed away.

Vivian Preston thanked Council for support on paying the Attorney's fees.

Eleanor Whiting spoke regarding the Eastside Transportation Study.

By COUNCILMEMBER CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:15 P.M.

RUTH C. WARD,
DEPUTY CITY CLERK.

November 25, 1985
Lansing, Michigan

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

Proceedings, December 2, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

December 2, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Schmidt.

Pledge of Allegiance.

PUBLIC HEARING

December, 2, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Facilities Exemption Certificate for Frandorson Properties, 300 Frandor Avenue.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Commercial Facilities Exemption Certificate they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

December 2, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Ordinance amendment to add a new section 31-49.1 for the purpose of establishing Special Parking Zones within the City of Lansing.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed ordinance amendment they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Public Properties and Safety.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

No persons spoke.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been received for licenses:

Bowling Alley—Metro Bowl, Inc.

Referred to the Committee on General Services.

Suit filed in 30th Judicial Circuit Court by Benjamin E. S. Hamilton, Janet D. Hamilton, Alex McPherson, Mario McPherson, Richard Blankenship, Julie Blankenship, George Hess, Joan Hess, James Jacobs and Mildred Jacobs vs Wayne Pontz, Rosalee Pontz, City of Lansing, et al. regarding construction of a pole barn at 3438 Glasgow Dr.

Referred to the Mayor and City Attorney.

Claims filed by:

a. Janet M. Smith, 420½ S. Clemens St., for reimbursement of towing bill incurred when unable to use driveway due to street construction.

b. Thomas R. Warren, 418½ S. Clemens, for reimbursement of towing fees incurred when unable to use driveway due to street construction.

c. William H. Walker, 3801 Coachlight Commons, for three claims:

1. Reimbursement of special assessment on property at 201 E. South St.

2. Reimbursement for removal of items by city at 201 E. South St.

3. Reimbursement of costs incurred to bring above problems to the attention of the city.

d. Steve Dines, 2612 Wilson Ave., for reimbursement of insurance fees requested for the Civic Center

rental for the American Bulgarian Macedonian Association.

e. Rose Karn, 2908 Delta St., for reimbursement of tires damaged and towing fees incurred from construction zone on N. Logan St.

f. Shirley J. Wills, 608 Everett Dr., for reimbursement of automobile tires damaged from construction on Logan Street Bridge.

Referred to the Mayor and City Attorney.

Applicatoins for Commercial Facilities Exemption Certificates filed by:

- a. Americor Ventures, Inc. for property at:
 1. 2800 block of Alpha St. (east side) for new facility.
 2. 2900 and 3000 blks. Alpha Street (east side) for new facility.
 3. 3005 Alpha Street for restoration.
- b. X-Ray Associates, Inc., 1322 E. Michigan Ave.

Referred to the Mayor and Committee on Economic Development.

Michigan Municipal League submits notification of emergency management training courses to be held by Michigan State Police.

Referred to the Mayor.

Michigan Department of Natural Resources submits notices of applications by:

- a. Board of Water and Light for construction in the Red Cedar Floodplain.
- b. Merlyn M. Gates, 2100 Coolidge St., for placing fill in floodplain of the Grand River.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Mayor McKane presented a Proclamation to Marilyn Jarvis who represented Hospice of Lansing.

PROCLAMATION

Whereas, the hospice movement in the United States is approximately eleven years old. Hospice of Lansing has served more than 350 Lansing area families since 1980 and expect to serve approximately 115 more in the coming year; and

Whereas, the hospice concept of care of the terminally ill is becoming an accepted part of American health care; and

Whereas; the unit of care is the patient and family; the primary goal being the control of pain and other symptoms to free the patient and family to live each day together as fully as possible until death; and

Whereas, supportive services are offered to family members both before and after the patient's death. The purpose of these services is to help the patient and family experience the death as a part of life and not as a crippling defeat.

Now, Therefore, I Terry J. McKane, Mayor of the City of Lansing, by the power vested in me, do hereby proclaim Thursday, December 5, 1985, as:

"HOSPICE DAY"

in Lansing and urge all citizens to join with me in acknowledging the special services hospice offers with compassion to Lansing area families.

Given under my hand and the Seal of the City of Lansing this second day of December in the year of Our Lord one thousand nine hundred and eight-five.

TERRY J. McKANE,
Mayor.

REPORT OF COMMITTEE

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

Bowling Alley—Metro Bowl, Inc.
Public Driver—Harry G. Letts, Jr.

Signed:

SIDNEY WORTHINGTON
ALFREDA SCHMIDT
CHARLES CREAMER
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON ECONOMIC DEVELOPMENT—

To whom was referred the Liquor Licenses reports as follows:

The Economic Development Committee has reviewed the attached memorandum regarding liquor licenses, and the options available to the city. Based on this memorandum, the Economic Development Committee recommends the following: 1) One of the City's available quota licenses be reserved for the owners of the new Radisson hotel. 2) The remaining quota license be reserved for the City's new Convention/Exhibition Center. 3) The City Council officially contact the Lansing Legislative caucus to encourage the extension of the deadline for granting 1970 quota licenses for one year, to December 31, 1986.

Signed:

LOUIS ADADO
LUCILE BELEN
SIDNEY WORTHINGTON
Committee on Economic Development

By COUNCILMAN ADADO—

That this Committee Report be referred to the Committee on General Services.

Carried.

REPORTS OF CITY OFFICERS AND BOARDS

November 27, 1985

President Charles Creamer and
Members of the Lansing City Council

Dear Councilmembers:

In accordance with Section 7-107 of the Lansing City Charter, I am forwarding copies of the Executive Transfers that have been placed on file in the City Clerk's Office by the Budget Director.

Most sincerely,

RITA A. BAUMAN,
City Clerk.

Referred to the Committee on Ways and Means.

November 25, 1985

Charles Creamer
City Council President and
City Council Members

Dear President Creamer and Council Members:

Pursuant to Chapter 2, section 2-28, of the Purchasing Ordinance, notification of the City Council is required when a bid other than the lowest responsible and responsive bid is recommended for acceptance.

On November 12, 1985, two bids were received and opened in Purchasing for the purchase of up to 1500 tons of sand chloride mix for ice control on the City streets this winter. Due to poor results of the product of the low bidder last winter, we are recommending acceptance of the higher bid.

I have attached staff research and recommendations for your review.

Respectfully submitted,

TERRY J. McKANE,
Mayor.

Received and placed on file.

DATE: 11/26/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director of Planning & Municipal Development

RE: Tax Abatement Application Review:
CRD-8-85, 111 S. Capitol
CRD-17-85, Lansing General Site, Alpha St.

The attached correspondence is submitted for your information.

TERRY J. McKANE,
Mayor.

Referred to the Committee on Economic Development.

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

I wish to remind the Council that I am required by your policy direction to negotiate contracts prior to January 1, 1986 with my department and division heads who are members of the Executive Pay Plan. You amended the Personnel Rules on January 14, 1985 to include this requirement. I told you at the time that I had no serious problem with it, although I was already negotiating contracts with incoming employees. Your contract decision led to the retirement ordinance fiasco and now threatens to cause you additional problems.

On September 3, 1985 I recommended to you by letter that you rescind the retirement ordinance AND the contract requirement. You did the former but not the latter. My recommendation still stands. I STRONGLY recommend that you rescind your requirement for contracts with EP Plan employees hired before January 1, 1986. If you do not do so, I predict court suits, legal fees, and out-of-court settlements, adding up to your expenditure of thousands of dollars of taxpayers' money to prove a philosophical point that doesn't even need proving. I intend to implement your present policy fully and completely if that is your collective desire, but I feel compelled to warn you of the potential consequences should you decide to charge ahead.

Sincerely,

TERRY J. McKANE,
Mayor.

Received and placed on file.

RESOLUTIONS

By COMMITTEE ON GENERAL SERVICES—

RESOLUTION #0596

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council denied the application of Roger L. Cooley for license as a public driver in accordance with Section 30-5 of the City Code at their November 12, 1985 meeting, following a review and recommendation of disapproval by the Chief of Police in accordance with Section 30-5(1) of the City Code, and concurrence by the Committee on General Services; and

Whereas, Roger L. Cooley requested an immediate, expedited hearing to review the denial of his application for license as a public driver at the November 12, 1985 Council meeting, and prior to written notification of the denial and his right to a hearing; and

Whereas, Roger L. Cooley waived all written notice requirements provided in Section 30-5(8) of the City Code; and

Whereas, the Committee on General Services held a hearing on November 20, 1985 at which Roger L. Cooley appeared to present evidence and oral argument on issues of law, policy and fact, and had an opportunity to cross examine a representative of the

Chief of Police pursuant to Section 30-5(8) of the City Code; and

Whereas, at the November 20, 1985 hearing, members of the Committee on General Services examined the facts presented and arguments made by Roger L. Cooley; and

Whereas, the Committee on General Services has affirmed its earlier recommendation to disapprove the application of Roger L. Cooley for license as a public driver, and particularly stated that said affirmation was based upon the following findings by the Committee: 1) that the applicant was convicted of a felony within the previous five (5) years; 2) that ordinance allowed the City Council to deny applications for license as a public driver based on such a conviction; 3) that such cause for denial is reasonable in light of the responsibility such drivers hold to the public; and 4) that an exception was not appropriate under the facts presented;

Now Therefore Be It Resolved, that the Lansing City Council hereby affirms the denial of the application of Roger L. Cooley for license as a public driver; and

Be It Further Resolved, upon adoption of this resolution the City Attorney shall notify the applicant of said denial.

Adopted by the following vote:

Unanimously.

**By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0597**

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-8-85 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, at 111 South Capitol Avenue; and

Whereas, Lyons Savings and Loan has applied for a Commercial Facilities Exemption Certificate for construction of a new building within said Commercial Redevelopment District CRD-8-85; and

Whereas, a hearing was held on Lyons Savings and loan's application for an Exemption Certificate on November 18, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, Lyons Savings and Loan has met or will meet the requirements for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated November 26, 1985 attached hereto).

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the application from Lyons Savings and Loan for an Exemption Certificate

in Lansing Commercial Redevelopment District CRD-8-85, for renovation of an existing structure, to remain in effect for a period of 12 years, and to commence with the payment of those property taxes currently due to the City of Lansing.

By COUNCILMEMBER ADADO—

That Councilmember Blair be excused from voting on this resolution.

Carried.

Adopted by the following vote:

Unanimously.

**By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0598**

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on November 7, 1985, by Americor Ventures, this Council was petitioned to establish a Lansing Commercial Redevelopment District CRD-17-85, pursuant to Public Act 255 of 1978; and

Whereas, due notice has been given for a public hearing on said petition; and

Whereas, at such hearing held on the 25th day of November, 1985, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is located in the Alpha Street area off Pennsylvania Street, Lansing, Michigan, more particularly described as:

LEGAL DESCRIPTION

Parcel No. 1: Lots 12, 13, 14, and the South 20.03 feet of Lot 15, Central Warehousing, a subdivision of a part of the SW 1/4 of Section 27, T4N, R2W, City of Lansing, Ingham County, Michigan, and also a parcel of land described as: Beginning at the Southeast corner of said Lot 12 of Central Warehousing; thence N16°45' W, 331.4 feet and North 45.0 feet on the East line of said Lots 12, 13, 14, and 15 of Central Warehousing; thence East, 268.92 feet along the center of a concrete drive; thence S16°45' E, 378.49 feet to the South line of the land presently owned by Lansing General Hospital; thence West, 282.46 feet to the point of beginning. Contains 4.007 acres.

Parcel No. 2: The North 79.7 feet of Lot 15, entire Lot 16, and the South 46.0 feet of Lot 17 (McLaughlin Street) of Central Warehousing, a subdivision of a part of the SW 1/4 of Section 27, T4N R2W, City of Lansing, Ingham County, Michigan, and also a parcel of land described as: Beginning on the East line of Lot 15 of Central Warehousing, at a point 20.30 feet North of the Southeast corner of said Lot 15; thence North, 225.70 feet on the East line of said Lots 15, 16, and 17 of Central Warehousing; thence N79°49'39"E, 164.13 feet to the most Westerly corner of the brick hospital building, thence S44°39'30"E, 152.75 feet along the Southwesterly face of said brick building to the most Southerly corner of said building; thence South, 146.03 feet; thence East, 268.92 feet along the center of a concrete drive to the point of beginning. Contains 2.421 acres.

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for commercial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity.

Now, Therefore, Be It Resolved the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-17-85 on the above described property.

By COUNCILMEMBER ADADO—

That Councilmember Creamer be excused from voting on this resolution.

Carried.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION #0599

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-17-85, on property on Alpha Street off of Pennsylvania Street; and

Whereas, the Americor Ventures, has applied for a Commercial Facilities Exemption Certificate for renovation of an existing facility (Horizon House) in the 3000 block of Alpha Street; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on the Americor Venture's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-17-85; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, December 16, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

By COUNCILMEMBER ADADO—

That Councilmember Creamer be excused from voting on this resolution.

Carried.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION #0600

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-17-85, on property on Alpha Street off of Pennsylvania Street; and

Whereas, the Americor Ventures, has applied for a Commercial Facilities Exemption Certificate for construction of a new facility (Horizon House) in the 3000 block of Alpha Street; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on the Americor Ventures' application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-17-85; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, December 16, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

By COUNCILMEMBER ADADO—

That Councilmember Creamer be excused from voting on this resolution.

Carried.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION #0601

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-17-85, on property on Alpha Street off of Pennsylvania Street; and

Whereas, LGH Medical Office Building, Partners has applied for a Commercial Facilities Exemption Certificate for construction of a new facility (LGH Medical Office Building) in the 2800 block of Alpha Street; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on the LGH Medical Office Building's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any

objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-17-85; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, December 16, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

By COUNCILMEMBER ADADO—

That Councilmember Creamer be excused from voting on this resolution.

Carried.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0602

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-10-85, on property commonly known as 1322 E. Michigan; and

Whereas, X-Ray Associates, has applied for a Commercial Facilities Exemption Certificate for renovation of an existing facility at 1322 E. Michigan Avenue; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on X-Ray Associate's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-10-85; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, December 16, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0603

RESOLUTION SETTING HEARING DATE
(Roselawn Manor Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan held at 7:00 o'clock p.m., Michigan Time, on December 2, 1985, at which the following members were present:

Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, and Worthington, and the following were absent: none

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Belen:

Whereas, this City Council has heretofore approved a Project Area and established a Project District Area for the Roselawn Manor Project (the "Project") of The Economic Development Corporation of the City of Lansing (the "Issuer"); and

Whereas, Section 17 of Act No. 338 of the Michigan Public Acts of 1974, as amended, (the "Act") and Temporary Treasury Regulations Section 5f.103-2 require that in order for bonds to be issued by the Issuer to assist in the financing of the Project, this City Council conduct a public hearing, after notice, and approve the issuance of bonds, all as provided in the Act and Temporary Regulations; and

Whereas, this City Council wishes to set a date for a public hearing on a Project Plan for the Project prepared by the Issuer.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, as follows:

1. A public hearing upon the issuance of bonds in the aggregate face amount not to exceed \$5,400,000 and the Project Plan for the Project shall be held at 7 o'clock, p.m., Michigan Time, on the 23rd day of December, 1985, in the City Council Chambers, 10th Floor, City Hall, in the City of Lansing, County of Ingham, State of Michigan. At such hearing, the City Council of the City of Lansing shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for the expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the proposed bond issue and the Project Plan. The governing body shall make and preserve a record of the public hearing, including all data presented thereat.

2. The City Clerk is hereby requested to publish, post, and mail notice of such hearing, such notice to be substantially in the form attached hereto, in accordance with Section 17 of the Act and Temporary Treasury Regulations Section 5f.103-2.

3. The City Clerk is hereby directed to forward three (3) certified copies of this resolution to the Secretary of the Issuer.

4. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

Yeas—Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann Schmidt and Worthington—8.

Nays—None.

Abstentions—None.

Resolution declared adopted.

STATE OF MICHIGAN)
) SS.
 COUNTY OF INGHAM)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 2nd day of December, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

RITA M. BAUMAN,
 Lansing City Clerk.

Adopted by the following vote:

Unanimously.

NOTICE OF PUBLIC HEARING
 CITY COUNCIL OF THE CITY OF LANSING
 PROJECT PLAN FOR THE ECONOMIC
 DEVELOPMENT CORPORATION OF THE CITY
 OF LANSING ROSELAWN MANOR PROJECT
 AND ISSUANCE OF LIMITED OBLIGATION
 REVENUE BONDS

Notice is hereby given that the City Council of the City of Lansing will hold a public hearing at 7 o'clock, p.m., in the City Council Chambers, 10th Floor, City Hall, Lansing, Michigan, on the 23rd day of December, 1985, on a Project Plan prepared by The Economic Development Corporation of the City of Lansing for its Roselawn Manor Project (the "Project"). The Project is to be initially owned by and undertaken for the benefit of D.G.A. Associates, a North Carolina limited partnership.

The Project consists of the acquisition, construction, renovation and equipping of an existing nursing home facility, and the site therefor, to be located at 707 Armstrong Road, City of Lansing, Michigan.

The location of the Project Area and the Project District Area in relation to highways, streets, streams or otherwise is indicated in the Project Plan.

Maps, plats, and a description of the proposed Project Plan, including the method of relocating families and individuals who will be displaced from the area, if any, are available for public inspection at the office of The Economic Development Corporation of the City of Lansing, located on the 9th Floor, City Hall, Lansing, Michigan. All aspects of the proposed Project Plan will be open for discussion at the public hearing, including the proposed issuance of limited obligation revenue bonds in the maximum principal amount of \$5,400,000 by The Economic Development Corporation of the City of Lansing to assist in financing the Project. The Project Plan contains further information about the issuance of such bonds and the financial parameters of the proposed bond issue.

The City Council will consider the approval of (i) the Project Plan and (ii) the proposed bond issue only after the public hearing has been completed.

The City Council of the City of Lansing shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the proposed Project Plan and the proposed bond issue.

RITA M. BAUMAN,
 City Clerk, City of Lansing

Published, posted and mailed to property owners of record within the Project District Area.

By ECONOMIC DEVELOPMENT COMMITTEE—
 RESOLUTION #0604

RESOLUTION SETTING HEARING DATE
 (Inter State Foods, Inc. Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan held at 7:00 o'clock p.m., Michigan Time, on December 2, 1985, at which the following members were present:

Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, and Worthington, and the following were absent: none

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Belen:

Whereas, this City Council has heretofore approved a Project Area and established a Project District Area for the Roselawn Manor Project (the "Project") of The Economic Development Corporation of the City of Lansing (the "Issuer"); and

Whereas, Section 17 of Act No. 338 of the Michigan Public Acts of 1974, as amended, (the "Act") and Temporary Treasury Regulations Section 5f.103-2 require that in order for bonds to be issued by the Issuer to assist in the financing of the Project, this City Council conduct a public hearing, after notice, and approve the issuance of bonds, all as provided in the Act and Temporary Regulations; and

Whereas, this City Council wishes to set a date for a public hearing on a Project Plan for the Project prepared by the Issuer.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, as follows:

1. A public hearing upon the issuance of bond in the aggregate face amount not to exceed \$800,000 and the Project Plan for the Project shall be held at 7 o'clock, p.m., Michigan Time, on the 23rd day of December, 1985, in the City Council Chambers, 10th Floor, City Hall, in the City of Lansing, County of Ingham, State of Michigan. At such hearing, the City Council of the City of Lansing shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for the expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the proposed bond issue and the Project Plan. The governing body shall make and preserve a record of the public hearing, including all data presented thereat.

2. The City Clerk is hereby requested to publish, post, and mail notice of such hearing, such notice to be substantially in the form attached hereto, in accordance with Section 17 of the Act and Temporary Treasury Regulations Section 5f.103-2.

3. The City Clerk is hereby directed to forward three (3) certified copies of this resolution to the Secretary of the Issuer.

All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

Yeas—Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt and Worthington—8.

Nays—None.

Abstentions—None.

Resolution declared adopted.

STATE OF MICHIGAN)
COUNTY OF INGHAM) SS.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 2nd day of December, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

RITA M. BAUMAN,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

**NOTICE OF PUBLIC HEARING
CITY COUNCIL OF THE CITY OF LANSING
PROJECT PLAN FOR THE ECONOMIC
DEVELOPMENT CORPORATION OF THE CITY
OF LANSING INTER STATE FOODS, INC.
PROJECT AND ISSUANCE OF LIMITED
OBLIGATION REVENUE BONDS**

Notice is hereby given that the City Council of the City of Lansing will hold a public hearing at 7 o'clock, p.m., in the City Council Chambers, 10th Floor, City Hall, Lansing, Michigan, on the 23rd day of December, 1985, on a Project Plan prepared by The Economic Development Corporation of the City of Lansing for its Inter State Foods, Inc. Project (the "Project"). The Project is to be initially owned, operated and managed by and undertaken for the benefit of Inter State Foods, Inc., a Michigan corporation.

The Project consists of the acquisition, renovation and equipping of existing buildings, and the sites therefor, for use as office space, warehousing and the packaging and distribution of coffee products and other food products, to be located on the east side of the 200 Block of North Larch, City of Lansing, Michigan.

The location of the Project Area and the Project District Area in relation to highways, streets, streams or otherwise is indicated in the Project Plan.

Maps, plats, and a description of the proposed Project Plan, including the method of relocating families and individuals who will be displaced from the area, if any, are available for public inspection at the office of The Economic Development Corporation of the City of Lansing, located on the 9th Floor, City Hall, Lansing, Michigan. All aspects of the proposed Project Plan will be open for discussion at the public hearing, including the proposed issuance of limited obligation

revenue bonds in the maximum principal amount of \$800,000 by The Economic Development Corporation of the City of Lansing to assist in financing the Project. The Project Plan contains further information about the issuance of such bonds and the financial parameters of the proposed bond issue.

The City Council will consider the approval of (i) the Project Plan and (ii) the proposed bond issue only after the public hearing has been completed.

The City Council of the City of Lansing shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the proposed Project Plan and the proposed bond issue.

RITA M. BAUMAN,
City Clerk, City of Lansing

Published, Posted and Mailed to property owners of record within the Project District Area.

RESOLUTION #0605

**RESOLUTION APPROVING AMENDED
PROJECT PLAN AND ISSUANCE
OF BONDS
(Snell Environmental Group, Inc.
Project)**

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan held at 7:00 o'clock p.m., Michigan Time, on December 2, 1985, at which the following members were present:

Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, and Worthington, and the following were absent: none

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Belen:

Whereas, this City Council has given notice pursuant to Section 17 of Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act") and Temporary Treasury Regulations Section 5f.103-2, of a public hearing which was held earlier on this November 25, 1985 relative to (i) the Amended Project Plan for the Snell Environmental Group, Inc. Project (the "Project") of The Economic Development Corporation of the City of Lansing (the "Issuer") and (ii) the issuance of bonds by the Issuer to assist in the financing of the Project.

Whereas, at said public hearing, the fullest opportunity was given for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the Amended Project Plan, and the issuance of bonds, and further, this City Council has given due consideration to all communications received in writing with reference thereto; and

Whereas, this City Council made and preserved a record of the public hearing, including all data presented thereat; and

Whereas, this City Council desires to express its approval of said Amended Project Plan and the Project

described therein and the issuance of bonds by the Issuer to assist in the financing of the Project, and wishes to request the Issuer to proceed with the Project and the financing thereof.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, as follows:

1. It is hereby determined that the Amended Project Plan for the Project as presented constitutes a public purpose within the meaning of the Act and said Amended Project Plan is hereby approved in its entirety based on the following considerations:

(a) The Amended Project Plan meets the requirements set forth in Section 8 of the Act.

(b) The persons who will be active in the management of the Project for not less than one year after the approval of the Amended Project Plan have sufficient ability and experience to manage the Plan properly.

(c) The proposed method of financing the Project is feasible and the Issuer has the ability to arrange the financing.

(d) The Project is reasonable and necessary to carry out the purposes of the Act.

2. By adoption of this resolution approving the Amended Project Plan this City Council intends to and hereby does approve the issuance, sale and delivery of not to exceed \$1,250,000 in aggregate principal amount of limited obligation economic development bonds described in the Amended Project Plan as is required by the Tax Equity and Fiscal Responsibility Act of 1982, and Temporary Treasury Regulations Section 5f.103-2.

3. The Issuer is hereby requested to proceed with the Project and the financing thereof.

4. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

5. The City Clerk is hereby directed to provide three (3) certified copies to the Secretary of the Issuer.

Adopted by the following vote:

Unanimously.

By COUNCILMEN BELEN, BENAVIDES, CREAMER & SCHMIDT—

RESOLUTION #0606

Resolved by the City Council of the City of Lansing:

Whereas, the City Council has reconsidered aspects of the Council Staff Personnel Rules and determined to amend same;

Now, Therefore, Be It Resolved, the Lansing City Council hereby amends Section H of Article 5 of the Council Staff Personnel Rules to read as follows:

H. EMPLOYMENT CONTRACT

All person hired after December 2, 1985, to fill Council Staff and Internal Audit Staff positions shall be required to sign employment contracts subject to the provisions of the City Charter, ordinances, policies and these personnel rules.

Lost by the following vote:

YEAS: Councilman Belen, Benavides, Creamer, Schmidt—4.

NAYS: Adado, Blair, Lindemann, Worthington—4.

By COUNCILMEN BELEN, BENAVIDES, CREAMER AND SCHMIDT—

RESOLUTION #0607

Resolved by the City Council of the City of Lansing:

Whereas, the City Council has reconsidered aspects of the Executive (Management) Plan Personnel Rules and determined to amend same;

Now, Therefore, Be It Resolved, the Lansing City Council hereby amends Section F under Terms of Employment of the Personnel Rules for Executive (Management) Plan to read as follows:

F. EMPLOYMENT CONTRACT

All Executive Plan persons who are either currently employed under written contract or are hired after December 2, 1985, to fill Executive (Management) Plan positions shall be required to sign employment contracts subject to the provisions of the City Charter, ordinances, policies, and these personnel rules.

Lost by the following vote:

YEAS: Councilmen Belen, Benavides, Creamer, Schmidt—4.

NAYS: Councilmen Adado, Blair, Lindemann, Worthington—4.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

DATE: 12/2/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Coliseum Consultants

RE: Civic Center and Exhibition Hall Use and Management Analysis

The attached correspondence is submitted for your information.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Public Properties and Safety and the Special Ad Hoc Committee for the Exhibition Center.

REMARKS BY THE MAYOR

North Grand Parking Ramp Expansion

Kalamazoo and Clemens Construction

Grand Avenue Closed.

No. Logan St. partially closed at Grand River Bridge.

REMARKS BY THE CITY COUNCIL

By COUNCILMEMBER BELEN—

I move that we reconsider the vote on the resolution adopted last week in regard to payment of Attorney fees for City Employees. This is in accordance with Rule 34 of City Council.

Lost by the following vote:

YEAS: Councilman Belen, Benavides, Schmidt, Worthington—4.

NAYS: Councilman Adado, Blair, Creamer, Lindemann—4.

Councilman Adado asked questions regarding Snow Clean-up Operations for this winter.

Steve Dines, 2612 Wilson, spoke regarding Communication Claim -3d.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:20 P.M.

RITA J. BAUMAN,
City Clerk.

December 2, 1985
Lansing, Michigan

described therein and the issuance of bonds by the Issuer to assist in the financing of the Project, and wishes to request the Issuer to proceed with the Project and the financing thereof.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, as follows:

1. It is hereby determined that the Amended Project Plan for the Project as presented constitutes a public purpose within the meaning of the Act and said Amended Project Plan is hereby approved in its entirety based on the following considerations:

(a) The Amended Project Plan meets the requirements set forth in Section 8 of the Act.

(b) The persons who will be active in the management of the Project for not less than one year after the approval of the Amended Project Plan have sufficient ability and experience to manage the Plan properly.

(c) The proposed method of financing the Project is feasible and the Issuer has the ability to arrange the financing.

(d) The Project is reasonable and necessary to carry out the purposes of the Act.

2. By adoption of this resolution approving the Amended Project Plan this City Council intends to and hereby does approve the issuance, sale and delivery of not to exceed \$1,250,000 in aggregate principal amount of limited obligation economic development bonds described in the Amended Project Plan as is required by the Tax Equity and Fiscal Responsibility Act of 1982, and Temporary Treasury Regulations Section 5f.103-2.

3. The Issuer is hereby requested to proceed with the Project and the financing thereof.

4. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

5. The City Clerk is hereby directed to provide three (3) certified copies to the Secretary of the Issuer.

Adopted by the following vote:

Unanimously.

By COUNCILMEN BELEN, BENAVIDES,
CREAMER & SCHMIDT—

RESOLUTION #0606

Resolved by the City Council of the City of Lansing:

Whereas, the City Council has reconsidered aspects of the Council Staff Personnel Rules and determined to amend same;

Now, Therefore, Be It Resolved, the Lansing City Council hereby amends Section H of Article 5 of the Council Staff Personnel Rules to read as follows:

H. EMPLOYMENT CONTRACT

All person hired after December 2, 1985, to fill Council Staff and Internal Audit Staff positions shall be required to sign employment contracts subject to the provisions of the City Charter, ordinances, policies and these personnel rules.

Lost by the following vote:

YEAS: Councilman Belen, Benavides, Creamer, Schmidt—4.

NAYS: Adado, Blair, Lindemann, Worthington—4.

By COUNCILMEN BELEN, BENAVIDES,
CREAMER AND SCHMIDT—

RESOLUTION #0607

Resolved by the City Council of the City of Lansing:

Whereas, the City Council has reconsidered aspects of the Executive (Management) Plan Personnel Rules and determined to amend same;

Now, Therefore, Be It Resolved, the Lansing City Council hereby amends Section F under Terms of Employment of the Personnel Rules for Executive (Management) Plan to read as follows:

F. EMPLOYMENT CONTRACT

All Executive Plan persons who are either currently employed under written contract or are hired after December 2, 1985, to fill Executive (Management) Plan positions shall be required to sign employment contracts subject to the provisions of the City Charter, ordinances, policies, and these personnel rules.

Lost by the following vote:

YEAS: Councilmen Belen, Benavides, Creamer, Schmidt—4.

NAYS: Councilmen Adado, Blair, Lindemann, Worthington—4.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

DATE: 12/2/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Coliseum Consultants

RE: Civic Center and Exhibition Hall Use and Management Analysis

The attached correspondence is submitted for your information.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Public Properties and Safety and the Special Ad Hoc Committee for the Exhibition Center.

REMARKS BY THE MAYOR

North Grand Parking Ramp Expansion

Kalamazoo and Clemens Construction

Grand Avenue Closed.

No. Logan St. partially closed at Grand River Bridge.

REMARKS BY THE CITY COUNCIL

By COUNCILMEMBER BELEN—

I move that we reconsider the vote on the resolution adopted last week in regard to payment of Attorney fees for City Employees. This is in accordance with Rule 34 of City Council.

Lost by the following vote:

YEAS: Councilman Belen, Benavides, Schmidt, Worthington—4.

NAYS: Councilman Adado, Blair, Creamer, Lindemann—4.

Councilman Adado asked questions regarding Snow Clean-up Operations for this winter.

Steve Dines, 2612 Wilson, spoke regarding Communication Claim -3d.

By COUNCILMAN CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:20 P.M.

RITA J. BAUMAN,
City Clerk.

December 2, 1985
Lansing, Michigan

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

Proceedings, December 9, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

December 9, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Belen.

Pledge of Allegiance.

HEARING ON PROPOSED CHANGE IN ZONING CLASSIFICATION

December 9, 1985, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on March 7, 1983 said proposed amendment being as follows:

That the property described as:

Z-22-84—1600 Blk. E. Cavanaugh Road to be rezoned from "A" Residential District to "DM-4" Residential District filed by Atty. Chris A. Bergstrom.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

Charles M. Bunn, 3518 Ruth, spoke in opposition to rezoning.

Stephen Schultz, representing Forest View Neighborhood Association spoke in opposition to rezoning.

Atty. Chris Bertstrom, spoke for petitioner.

Referred to Committee on Physical Development.

PUBLIC HEARING

December 9, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Project Plan for the Economic Development Corporation of the City of Lansing Accident Fund Project and Issuance of Limited Obligation Revenue Bonds.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Project Plan and issuance of Limited Obligation Revenue Bonds they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

December 9, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Facilities Exemption Certificate for Norken Realty Co., area bounded by Monroe, Larch and Cedar Sts.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed certificate they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

December 9, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Facilities Exemption Certificate for Mark A. Lewis, 900 blk. Terminal Road.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed certificate they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

December 9, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Facilities Exemption Certificate for Sinn Fein, Inc., 212 S. Washington Square.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed certificate they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

December 9, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Facilities Exemption Certificate for Kenneth Stockwell, 301 S. Washington.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed certificate they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

December 9, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Facilities Exemption Certificate for Anthony Randall, 303 S. Washington Square.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed certificate they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

December 9, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Facilities Exemption Certificate for M&D Associates I, 208 N. Capitol Avenue.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Commercial Facilities Exemption Certificate they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

December 9, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public

hearing on the proposed Commercial Facilities Exemption Certificate for Frandorson Properties (renovation of an existing facility) at Logan Square, 3222 S. Logan Street.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed certificate they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

December 9, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Redevelopment District for CRD-18-85, Urban Renewal Parcel #6, Corner of Washington Ave. and Shiawassee St.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed commercial redevelopment district they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

December 9, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Redevelopment District for CRD-19-85, Urban Renewal parcel #12, Washington Ave. between Ionia and Ottawa Sts.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Commercial Redevelopment District they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

December 9, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Redevelopment District for CRD-20-85, Urban Renewal Parcel #10, Corner of Washington Ave. and Ottawa St.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Commercial Redevelopment District they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

December 9, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public

hearing on the proposed Commercial Redevelopment District for CRD-21-85, Urban Renewal Parcel #5B1 and 5C1, Washington Ave. between Shiawassee and Ionia St.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Commercial Redevelopment District they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

December 9, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed make-safe or demolish property at 121 Garden Street.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed make-safe or demolition of property they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on General Services.

December 9, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed make-safe or demolish property located at 1133 North Pennsylvania Avenue.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed make-safe or demolition they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on General Services.

December 9, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed make-safe or demolish property located at 808 E. Michigan Avenue.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed make-safe or demolition of property they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on General Services.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

No persons spoke.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

Public Drivers: Charyle J. McKeever, Robert D. Vergason, Robert W. Bogan.

Referred to the Committee on General Services.

Suit filed in Ingham County Circuit Court by Harold Clum v City of Lansing and Donald Murray for injuries and damages sustained in a traffic accident at intersection of Holmes Rd. and Stabler St.

Referred to the Mayor and City Attorney.

Notice of Voluntary Dismissal of suit in Circuit Court regarding Vivian Preston, Brenda Ballard and other Employees of the City of Lansing v The City of Lansing regarding the City Retirement Ordinance 26-23 (c).

Referred to the Mayor and the City Attorney and Council File.

Claims filed by:

a. James Henry, Jr., 3213 S. Catherine, for reimbursement of water damages in basement.

b. May Belle Drane, 413 S. Clemens, for damage to basement from sewer backup due to construction in area.

c. Phyllis and Mar, Curtis, 5826 Orchard Ct., for damages to automobile from striking a construction sign on S. Cedar St.

Referred to the Mayor and the City Attorney.

Robert D. Wicher and Ronal Langston submit request for new Limousine Service in the city.

Referred to the Mayor and Committee on General Services.

Preliminary Plat for Wise Wood Acres filed by Fed Harmon, 5217 Wise Road.

Referred to the Mayor and Planning Board.

Petition for rezoning—1800 Block of Todd Avenue to be rezoned from "DM-3" District to "C" Residential and "J" Parking District filed by Lansing City Council.

Referred to the Mayor and Planning Board.

Michigan Liquor Control Commission files request of Shannon's Saloon, Inc to drop Timothy E. Brogan and Brian D. Riley as stockholders in 1985 Class C licensed business with Dance Permit located at 309 W. Jolly Rd., thru sale of stock to existing stockholder, Michael J. Brogan and new stockholder, Leslie A. Brogan, jointly, and drop Leslie A. Brogan as joint stockholder with Michael J. Brogan thru sale of stock to Michael J. Brogan.

Referred to the City Clerk and the Committee on General Services.

Anna Stevenson, 3108 N. Cedar St., submits letter regarding property at the water tower site on Cedar and Paulson Sts.

Referred to the Mayor.

MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

No comments.

REPORT OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

Public Drivers—Robert D. Vergason, Jr., Cheryle J. McKeever, Robert W. Bogan.

Signed:

SIDNEY WORTHINGTON
ALFREDA SCHMIDT
CHARLES CREAMER
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

To whom was referred the Mayor's report on the installation of a "Left Turn Phase" on the traffic signal at US-27 and Lake Lansing Road reports as follows:

The Transportation Division, Traffic Board and the Mayor recommend the citizen request for an exclusive "Left Turn Phase" on the existing traffic signal at US-27 and Lake Lansing Road be denied. This request is denied.

Signed:

PAT LINDEMANN
JAMES BLAIR
LOUIS ADADO
Committee on Public Properties and Safety

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

To whom was referred the Mayor's report on the installation of Stop signs at the intersection of Samantha Avenue and Wildwood Avenue reports as follows:

The Transportation Division, Traffic Board and Mayor recommend the Yield signs be retained on Wildwood Avenue at Samantha Avenue and the citizen request for Stop signs be denied. This request is denied.

Signed:

PAT LINDEMANN
JAMES BLAIR
LOUIS ADADO
Committee on Public Properties and Safety

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

To whom was referred the Ordinance adding a new section 31-49.1 for the purpose of establishing Special Parking Zones within the City of Lansing reports as follows:

That said ordinance be approved.

Signed:

PAT LINDEMANN
JAMES BLAIR
LOUIS ADADO
Committee on Public Properties and Safety

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT—

To whom was referred the Ordinances for rezoning:

Z-26-85—2801 North Grand River Ave. to be rezoned from "D-1" Professional Office District to "E-1" Apartment Shop District report as follows:

That said rezonings be approved.

Signed:

LUCILE BELEN
CHARLES CREAMER
TONY BENAVIDES
Committee on Physical Development

By COUNCILMEMBER BELEN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

DATE: 12/5/85

December 6, 1985

President Charles Creamer and
Members of the Lansing City Council

Dear Councilmembers:

Attached is an application for a public drivers license for William Leo Fisher that was returned to us from the Police Department unsigned. The reason for their denial is attached.

Sincerely,

RITA M. BAUMAN,
City Clerk.

Received and placed on file.

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Finance Department

RE: Payment of Fraternal Order of Police-Supervisory personnel (Chief of Police, Assistant Chief of Police, and Deputy Chiefs)

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on General Services.

November 27, 1985

DATE: 12/3/85

City Council President Charles M. Creamer and
Members of Lansing City Council

Dear President Creamer and Councilmembers:

RE: Staff Responses to Touche Ross and Company
Management Letter

Staff responses to the Independent Auditor's (Touche Ross and Company) Audit Comments covering Fiscal 1985 audit are herewith submitted.

Respectfully submitted,

MARY E. SOVA
Secretary of the Board

Smallcraft—City Council 9525-5
bo/7700/1219

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director of Public Service

RE: Trash in R.O.W. Removal Assessment for
June, 1986 Tax Roll (V-12)

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE,
Mayor.

By COUNCILMEMBER LINDEMANN—

That we concur in the recommendatoin of the Mayor and this trash in R.O.W. removal Assessment be placed on the June, 1986 Tax Roll (V-12).

Carried.

December 4, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

I believe our recent Mayoral/Council election was a good one for our community. Mr. Adado and all of the Council candidates waged fair, open campaigns. The debate that we participated in will assist us all to be better representatives of the people of Lansing.

Over the next several weeks, I will be drafting my fifth "State of the City" message. In it I intend to outline my plans for a second term. I invite each of you to make written suggestions regarding City priorities and activities. I also would be pleased to meet with any of you on a private basis to discuss these should you so desire. I will be pleased to consider your suggestions as I prepare my message.

I look forward to working with you and our mutual constituents for a strong Lansing and mid-Michigan.

Best regards for a pleasant holiday season.

Sincerely,

TERRY J. MCKANE,
Mayor.

Received and placed on file.

DATE: 12/5/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director of Planning & Municipal Development

RE: Tax Abatement Application Review:

CRD-11-85, 208 North Capitol Ave.
CRD-12-85, Monroe St.—between Cedar & Larch
CRD-13-85, 900 block Terminal Road
CRD-14-85, 212 South Washington Square
CRD-15-85, 301 South Washington Square
CRD-16-85, 303 South Washington Square
CRD-18, 19, 20, 21-85
CRD-2-81, Logan Square Shopping Center

The attached Tax Abatement Application Review is submitted for your information.

TERRY J. MCKANE,
Mayor.

Referred the Committee on Economic Development.

DATE: 12/5/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Labor Relations

RE: Teamsters Dues Issue

The attached correspondence is submitted for your information.

TERRY J. MCKANE,
Mayor.

Received and placed on file.

City Council President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and Councilmembers:

Pursuant to Article 6, Chapter 2, Section 6-201 of the City Charter, I am hereby advising you that I have appointed Douglas DeFrain, Director of Labor Relations as the Chief Labor Negotiator for the City of Lansing for the purpose of negotiating the labor contracts with the Fraternal Order of Police, Lodge No. 141, Supervisory and Non-Supervisory Divisions, and the Lansing Fire Fighters Union. The F.O.P. Supervisory contract expires January 31, 1986 and the contracts with F.O.P. Non-Supervisory Division and Lansing Fire Fighters Union expire June 30, 1986. In the absence of Mr. DeFrain, Ronald Risdon, Assistant Director of Labor Relations, shall have the authority to act as the Chief Negotiator.

I respectfully request your confirmation of this appointment. The Fraternal Order of Police has already indicated their desire to commence negotiations. I would appreciate your expeditious action on this matter.

Best personal regards,

Sincerely,

TERRY J. MCKANE,
Mayor

Referred to the Committee on General Services.

DATE: 12/4/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Budget Director

RE: Transfer of Funds

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Ways and Means.

RESOLUTIONS

By COMMITTEE ON GENERAL SERVICES—

RESOLUTION #0608

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department, determined that the building located at 6420 Hilliard Road legally described as:

6420 Hilliard, City of Lansing, Lot 77, Supervisor's Plat of Radio Estates

Was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Board on September 26, 1985, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on November 25, 1985, to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building; and

Be It Further Resolved that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within fifteen (15) days from the date of this resolution; and

Be It Further Resolved that, should the owner fail to substantially comply with the Hearing Officer's order for demolition or otherwise make safe, the Director of the Department of Building Safety and Development is hereby directed to proceed with demolition of said building; and

Be It Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Finally Resolved that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By COUNCILMEMBER WORTHINGTON—

That the time in the first Be It Further Resolved, be changed from 15 days to 20 days.

Carried.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

RESOLUTION #0609

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department, determined that the building located at 5912 Pheasant Street legally described as:

5912 Pheasant, Lot 108, Webster Farm Sub No. 1, Lansing, Michigan

Was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Board on September 26, 1985, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on November 25, 1985, to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building; and

Be It Further Resolved that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within fifteen (15) days from the date of this resolution; and

Be It Further Resolved that, should the owner fail to substantially comply with the Hearing Officer's order for demolition or otherwise make safe, the Director of the Department of Building Safety and Development is hereby directed to proceed with demolition of said building; and

Be It Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Finally Resolved that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records.

Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By COUNCILMEMBER WORTHINGTON—

That the time in the first Be It Further Resolved, be changed from 15 days to 20 days.

Carried.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

RESOLUTION #0610

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department, determined that the building located at 6205 South Logan Street legally described as:

6205 South Logan Street, Lot 37, Kenbrook Subdivision, Lansing, Michigan

Was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Board on March 29, 1984, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on November 25, 1985, to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building; and

Be It Further Resolved that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution; and

Be It Further Resolved that, should the owner fail to substantially comply with the Hearing Officer's order for demolition or otherwise make safe, the Director of the Department of Building Safety and Development is hereby directed to proceed with demolition of said building; and

Be It Resolved, that the cost of such demolition

shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Finally Resolved that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

RESOLUTION #0611

Resolved by the City Council of the City of Lansing:

Whereas, William Leo Fisher has submitted an application for license as a public driver; and

Whereas, the Chief of Police has reviewed the application and has recommended disapproval in accordance with the provisions of Section 30-5(1) of the City Code; and

Whereas, the Committee on General Services has examined the report from the Chief of Police and concurs with the recommendation to disapprove the application;

Now, Therefore, Be It Resolved the Lansing City Council hereby disapproves the application of William Leo Fisher for license as a public driver; and

Be It Further Resolved upon adoption of this resolution the City Attorney shall notify the applicant of said disapproval and advise him of his right to a hearing under the provisions of Section 30-5 of the City Code.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

RESOLUTION #0613

Resolved by the City Council of the City of Lansing:

Whereas, the City Council has been informed by the Administration that two liquor licenses are available for assignment under the Michigan Liquor Control Commission's quota for the City of Lansing; and

Whereas, the Committee on Economic Development and the Committee on General Services have reviewed the City's options on making recommendations to the Commission for such assignment, and have reaffirmed the previous finding of the City Council that the welfare of the City of Lansing and the public as a whole will best be served by issuance of the two quota licenses to the 100-block hotel and the Convention/Exhibition Center; and

Whereas, the City is contractually obligated to assist the developers of the new Radisson Hotel in the Central Business District in their efforts to secure a liquor license for that facility; and

Whereas, under Commission rules the City is eligible to apply for a liquor license for the new municipally-owned Convention/Exhibition Center now under construction; and

Whereas, the City Council has yet to dispose of a previous recommendation to the Commission on issuance of a license to a prior development team for the 100-block hotel;

Now, Therefore, Be It Resolved the Lansing City Council hereby rescinds its resolution of December 20, 1982, which designated "One Michigan Avenue Associates", a now-defunct hotel development team, to receive a quota liquor license; and

Be It Further Resolved the City Council hereby requests and approves the following actions of the Michigan Liquor Control Commission:

1. The issuance of the B-Hotel license previously held for One Michigan Avenue Associates to "Block 100 Limited Partnership", owners of the Radisson Hotel now under construction at 111 North Grand Avenue, Lansing, Ingham County, Michigan, above all others. (The hotel is projected to be open for business in September 1986.)

2. The issuance of the City's remaining 1970 quota license to the City of Lansing above all others for its Convention/Exhibition Center now under construction in the 300 block of East Michigan Avenue (north side), Lansing, Ingham County, Michigan.

And Be It Further Resolved the Administration is hereby authorized to take any necessary actions to apply for and obtain the Convention/Exhibition Center liquor license on behalf of the City of Lansing.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

RESOLUTION #0614

Resolved by the City Council of the City of Lansing:

Whereas, the Committee on Economic Development has determined the section of the Council's Commercial Tax Abatement Policy adopted July 22, 1985 which requires the "Assessor's Office or an equally qualified agency or person with similar experience" to perform the economic analysis of the applicant's "proforma or actual balance sheets, is impractical, and

Whereas if the City Council is to comply fully with its policy this section must be deleted, now

Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially amends its Commercial Tax Abatement Policy by deleting in its entirety the last paragraph of the policy guidelines which outlines the economic analysis requirements, and

Be It Further Resolved, the review and analysis of material presented by a commercial tax abatement applicant shall be the responsibility of the Economic

Development Office and the Council Committee on Economic Development as it has been in the past.

Adopted by the following vote:

Yeas: Councilman Adado, Belen, Benavides, Lindemann, Schmidt—5.

Nays: Councilman Blair, Creamer, Worthington—3.

By COMMITTEE ON ECONOMIC
DEVELOPMENT—

RESOLUTION #0616

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-2-81, on property at 3222 S. Logan, known as Logan Square; and

Whereas, Frandorson Properties, has applied for a Commercial Facilities Exemption Certificate for construction of a new facility at Logan Square; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on Frandorson Property's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-2-81; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, December 23, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0617

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council hereby cancels the public hearing set for December 23, 1985 for consideration of the Project Plan for the Roselawn Manor project.

Adopted by the following vote:

Unanimously.

By PUBLIC PROPERTIES AND
SAFETY—

RESOLUTION #0618

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor has submitted for Council consideration and confirmation the appointment of Philip T. Savich to the Board of Fire Commissioners, and

Whereas, the Committee on Public Properties and Safety has interviewed Mr. Savich and found him to be well qualified to serve on this important City Board, now

Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially approves and confirms the appointment of Philip T. Savich to the Board of Fire Commissioners for a term to expire in June of 1987.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES
AND SAFETY—

RESOLUTION #0619

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a petition for traffic control at the intersection of Julia Street and Wildwood Avenue;

Now, Therefore, be It Resolved, the Lansing City Council hereby approves the installation of Yield signs on Julia Street at Wildwood Avenue.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND
SAFETY—

RESOLUTION #0620

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a petition for traffic control at the intersection of Emily Avenue and Wildwood Avenue;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the installation of Stop signs on Emily Avenue at Wildwood Avenue.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND
SAFETY—

RESOLUTION #0621

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a petition for traffic control at the intersection of Robert Street and Wildwood Avenue;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the installation of Yield signs on Robert Street at Wildwood Avenue.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0622

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a request from Councilmember Lindemann for traffic control at the intersection of Fernwood Avenue and LaSalle Boulevard;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the installation of Yield signs on LaSalle Boulevard at Fernwood Avenue.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0623

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a citizen petition for traffic control at the intersection of Allen Street and Elizabeth Street;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the installation of Stop signs on Allen Street at Elizabeth Street.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0624

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a request for traffic control at the intersection of Kendon Drive and Wildwood Avenue;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the installation of Stop signs on Wildwood Avenue at Kendon Drive.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0625

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended permanent approval of a request from Councilmember Blair for removal of the No Turn On Red restriction at the intersection of River St./Washtenaw St. and Grand Avenue; and

Whereas, the No Turn On Red restriction was removed on June 4, 1985 for a 120 day trial period;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the permanent removal of the No Turn On Red restriction for westbound traffic on River Street at Grand Avenue and Washtenaw Street.

Adopted by the following vote:

Unanimously.

By PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0626

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a request for a traffic signal at the intersection of Lake Lansing and N. East Street as well as the removal of the pedestrian signal at Lake Lansing Road and the Motor Wheel gate,

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the installation of a traffic signal at the intersection of Lake Lansing Road and North East Street and also approves the removal of the pedestrian traffic signal at Lake Lansing Road and the Motor Wheel gate.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0627

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended approval of a request for changes in the parking regulations on N. East Street upon the installation of a traffic signal at N. East Street and Lake Lansing Road;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the installation of a No Parking At Any Time zone on both sides of N. East Street from Lake Lansing Road to 200' north of Lake Lansing Road and on the east side of N. East Street from Lake Lansing Road south to Woodbury Street.

The following changes will be required in the City Traffic Code:

Add: No Parking At Any Time on both sides of N. East Street from Lake Lansing Road to 200' north of Lake Lansing Road.

Add: No Parking At Any Time on the east side of N. East Street from Lake Lansing Road south to Woodbury Street.

Adopted by the following vote:

Unanimously.

By PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0628

Resolved by the City Council of the City of Lansing:

Whereas, in response to a request from the Riverfront Saloon to remove the "No Parking" zone on the north side of Shiawassee street for 100 feet, the transportation, Engineer has reviewed the parking and traffic flow conditions in this area, and

Whereas, the Committee on Public Properties and Safety has also considered this request and is cognizant of the inconvenience caused by this no parking zone in the evening hours, now

Therefore, Be It Resolved, the City Council of the City of Lansing hereby approves the modification of the existing "No Parking" signs in the first 100 feet east of Cedar on the North side of Shiawassee to read: No Parking—6:00 a.m.-6:00 p.m.

Adopted by the following vote:

Unanimously.

By PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0629

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff and the member of the Public Properties and Safety Committee have considered a request from Councilman Lindemann for traffic control on Fernwood Avenue, now

Therefore, Be It Resolved, the City Council of the City of Lansing hereby approves the installation of stop signs on Fernwood Avenue at Kipling.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

RESOLUTION #0630

Resolved by the City Council of the City of Lansing:

Whereas, the State of Michigan has enacted legislation increasing standardization payments for judicial salaries; and

Whereas, the judicial compensation panel established by City Council recommended no additional salary increases, and this has been concurred with by the Council; and

Whereas, the state will provide to each local district Control Unit funds to increase judicial salaries, which the City must use only to increase judicial salaries; and

Whereas, existing funds could be reduced by the state if such increases are not approved; and

Whereas, this legislation will result in increases January 1, 1986 and June 1, 1986;

Now, Therefore, Be It Resolved, that the City approves increases to the levels authorized by the legislation and funded by the increased state standardization payments.

Be It Further Resolved, that the City endorses full funding and administration of all courts by the state as recommended by the Chief Justice of the State Supreme Court.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

RESOLUTION #0631

Resolved by the City Council of the City of Lansing:

Whereas, Vernon D. Ebersole will retire from public office December 31, 1985, after more than 30 years of outstanding service to this community as a member of the Lansing Board of Education; and

Whereas, Vern was first elected on April 4, 1955, and has served on the Board longer than any other individual in the 125-year history of the Lansing School District; and

Whereas, Vern's leadership has always been evident in Board activities, and his peers elected him Board President seven times, Secretary once, and Treasurer eleven times, including the 1985 calendar year; and

Whereas, throughout his tenure as a policy-maker, Vern has been a staunch advocate of high-quality neighborhood schools, careful financial planning based on the lowest possible property tax rate, and a wide range of school district services for the benefit of all residents; and

Whereas, a lasting tribute to Vern's contributions to public education is the Ebersole Environmental Education Center, a native-oriented camp and conference center in Wayland, Michigan, which is owned and operated by the Lansing School District; and

Whereas, there is no way the Lansing community can express its appreciation to Vern Ebersole for his time and efforts on behalf of several generations of students in Lansing public schools, except to hope that Vern realizes the warmth and love we feel as we say, "Thank You!";

Now, Therefore, Be It Resolved the Lansing City Council, on behalf of every citizen of Lansing, hereby presents this special Resolution of Tribute to Vernon D. Ebersole in grateful recognition of his devotion to the children of Lansing throughout the 30½ years of exemplary service on the Lansing Board of Education; and

Be It Further Resolved the City Council wishes Vern and his lovely wife Margaret good health, happiness, and every opportunity to enjoy them both in the coming years of retirement.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

RESOLUTION #0632

Resolved by the City Council of the City of Lansing:

Whereas, the Cougars of Lansing Catholic Central have brought great honor to the City of Lansing by battling their way to a Class C state championship in football this season; and

Whereas, under the able direction of Coach Phil Booth this remarkable Catholic Central team averaged 27.9 points in each of their 13 games while allowing their opponents an average of only 4.2 points, a record unmatched by any team in the state; and

Whereas, the Cougars have demonstrated determination and singleness of purpose since their first practice in August of this year; and

Whereas, all their effort was amply rewarded on Saturday November 30th at the Pontiac Silverdome where they soundly defeated St. Ignace by a score of 33-6; now

Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially applauds and congratulates Coach Phil Booth and his valiant Catholic Central Cougars for their wonderful season and the positive reflection they have made on our community.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

RESOLUTION #0633

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$17,500.00 from Gen. Admin. Reserve for Contingency

A/C 101-941-000-963

17,500.00 to District Court Expenditures

A/C 101-136-000-700

(to pay legal expenses related to Patricia Crimmins' arbitration, Judy Jones Circuit Court case & wage reopender for Teamster employees.)

\$17,500 from Estimated Rev. District Ct.

A/C 760-000-000-160

17,500.00 to Dist. Court Professional Serv.

A/c 760-136-000-801

(to pay legal expenses related to Patricia Crimmins' arbitration, Judy Jones Circuit Court case & wage reopener for Teamster employees.)

\$13,200.00 from Salaries-Suppression

A/C 101-339-000-702

\$3,200.00 to Fire Dept. Salaries-Admin.

A/C 101-337-000-702

(Funding of civilian Adm. Assist. 29 thru June 30, 1986. Act 312 arbitration now projected to require additional time until mid-May, 1986.)

\$100.00 from Gen. Fund Estimated Revenues

A/C 101-000-000-160

100.00 to Fire Dept. Citizen's Donations

A/C 101-337-000-956

(Citizen donation from Lansing Exchange Club for smoke detectors for Fire Prevention program).

11,508.38 from Fund Balance-G.M. Park Trust Fund
A/C 713-000-000-390

11,508.38 to Baptist House Renovation

A/C 713-170-000-930

(City match of funds for improvements of Cooley-Haze House, per Council resolution of 11-3-80.

\$4,062.00 from Estimated Revenues

A/C 101-000-000-160

4,062.00 to District Court Expenditures

A/C 101-136-000-700

(Increase in judicial salaries and equalization payment: for January 1, 1986 and June 1, 1986.)

\$4,062.00 from District Court-Estimated Revenues

A/C 760-000-000-160

4,062.00 to District Court Salaries and Longevity

A/C 760-136-000-702

(Increase in judicial salaries and equalization payments for January 1, 1986 and June 1, 1986.)

Recommended by:

JAN LAZAR,
Budget Director.

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director

APPROVED:

JAMES BLAIR
TONY BENAVIDES
PAT LINDEMANN
Ways and Means Committee

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCES

The following ordinance(s) of the City of Lansing, Michigan providing that the code of ordinances be amended by:

Revising the district maps adopted by Section 36-6 of the Code of ordinances and to change the zoning classification for the rezoning petitions:

Z-28-85—6841 South Cedar Street to be rezoned from "F" Commercial and "J" Parking Districts to "F" Commercial District.

Z-29-85—Vacant land West of 5522 South Cedar Street to be rezoned from "A" Residential District to "F" Commercial District was introduced by Councilman Belan read a first and second time by their title(s) and referred to the Committee on Physical Development.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

RESOLUTION #0634

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, January 6, 1986 at 7:00 P.M. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving the following rezoning petitions:

Z-28-85—6841 S. Cedar Street to be rezoned from "F" Commercial and "J" Parking Districts to "F" Commercial District, filed by Robert D. Wicker.

Z-29-85—Vacant land West of 5522 S. Cedar Street to be rezoned from "A" Residential District to "F" Commercial District, filed by Leroy Henry.

Adopted by the following vote:

Unanimously.

ORDINANCES

By COUNCILMAN BELEN—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Mich. and for the revision of the district maps adopted by Section 36-6 of the code for property located at:

Z-26-85—2801 North Grand River Ave. to be rezoned from "D-1" Professional Office District to "E-1" Apartment/Shop District and recommended that the ordinance be passed.

By COUNCILMEMBER BELEN—

I move that the first reading of this ordinance be considered as having been read in its entirety.

Carried.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-26-85—2801 N. Grand River Avenue to be rezoned from "D-1" Professional Office District to "E-1" Apartment/Shop District: be placed on order of immediate passage.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-26-85—2801 N. Grand River Avenue to be rezoned from "D-1" Professional Office District to "E-1" Apartment/Shop District: be now passed.

Councilman Blair left the meeting.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2174

An Ordinance of the City of Lansing, Michigan,

providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number—Z-26-85, 2801 North Grand River Avenue

Parcel Number—3301-05-451-041

Legal Description: That part of the south $\frac{1}{4}$ Section 5, T4N, R2W, City of Lansing, Ingham County, Michigan beginning on the southerly ROW line of Grand River Avenue (100 feet wide; at a point lying south 68°26' east 280.13 feet from the intersection of the north/south $\frac{1}{4}$ line of said Section 5, with the southerly ROW line of Grand River Avenue; running thence south 21°34' west 170.0 feet; thence south 68°26' east 167.0 feet; thence northwesterly 167.0 feet on the arc of a curve to the left whose chord bears north 68°15' west 167.0 feet to the point of beginning.

From "D-1" Professional Office District to "E-1" Apartment Shop District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

ORDINANCES

By COUNCILMAN LINDEMANN—

That Committee report that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by adding a new section 31-49.1 for the purposes of establishing Special Parking Zones within the City of Lansing and recommended that the ordinance be passed.

By COUNCILMEMBER LINDEMANN—

I move that the first reading of this ordinance be considered as having been read in its entirety.

Carried.

By COUNCILMEMBER LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by adding a new section 31-49.1 for the purpose of establishing Special Parking Zones within the City of Lansing be placed on order of immediate passage.

By COUNCILMEMBER LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by adding a new section 31-49.1 for the purpose of establishing Special parking Zones within the City of Lansing be now passed.

Councilmember Blair returned to the meeting.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 709

An Ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances, City of Lansing, Michigan, be amended by adding a new section 31-49.1 to said code for the purpose of establishing special Parking Zones within the City of Lansing.

The City of Lansing Ordains:

Section 1. That Chapter 31 of the Code of Ordinances of the City of Lansing, Michigan be amended by adding a new Section 31-49.1 to read as follows:

Sec. 31-49.1. SPECIAL PARKING ZONES, AUTHORITY OF CITY COUNCIL TO ESTABLISH

THE CITY COUNCIL MAY BY RESOLUTION ESTABLISH SPECIAL PARKING ZONES IN AND AROUND SUCH COMBINED INDUSTRIAL, COMMERCIAL AND RESIDENTIAL DISTRICTS AS IT SHALL DETERMINE TO BE A DESIRABLE BENEFIT AND CONVENIENCE TO THE PUBLIC AND RESIDENTS OF THE AREA AND FOR THE PURPOSE OF BETTER INSURING COMPLIANCE WITH PARKING REGULATIONS IN SUCH AREAS.

THE PENALTY FOR ANY PARKING VIOLATION OF POSTED PARKING REGULATIONS IN A SPECIAL PARKING ZONE UNLESS OTHERWISE INDICATED SHALL BE TWENTY FIVE DOLLARS (\$25.00).

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from the date of its passage unless given immediate effect by the City Council.

By COUNCILMEMBER ADADO AND BENAVIDES—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

By COUNCILMAN ADADO—

RESOLUTION #0635

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-17-85, on property on Alpha Street off of Pennsylvania Street; and

Whereas, the Americor Ventures, has applied for a Commercial Facilities Exemption Certificate for renovation of an existing facility (Horizon House) in the 3000 block of Alpha Street; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on the Americor Venture's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-17-85; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, December, 23, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

By COUNCILMAN ADADO—

That Councilmember Creamer be excused from voting on this resolution.

Carried.

Adopted by the following vote:

Unanimously.

DATE: 12/9/85

TO: Tony Benavides, Council Vice President

FROM: Lou Klimecky, Chief of Internal Audit

SUBJECT: Request to Purchase a Calculator

A 10 year old calculator frequently computes incorrectly. It was repaired but the repairman advised us that if the problem should continue the calculator should be scrapped. The defect has reoccurred. It is requested that \$175.00 be transferred from Misc. & Operating Expenses (Account #101-105-000-741) to a new account Equipment (101)105-000-977) to provide for the purchase of a Cannon CP 1208 calculator. This is an economy model without a LED display.

This is a good price for a quality calculator. The replacement calculator is needed now to perform our audit functions. Additionally, the current favorable price may increase in the near future, and Purchasing informs us that quality declines with each new model; thus it is recommended we purchase the calculator now to avoid a potential price increase and quality decline.

This constitutes the first replacement request in 7 years.

Referred to the Committee on Ways and Means.

December 6, 1985

Council President Charles Creamer
and Councilmembers

Dear President Creame and Councilmembers:

Pursuant to your directives, I have begun implementation of your Personnel Rule Amendment requiring written contracts for all Executive Pay Plan Employees.

Attached please find a letter from Donald L. Reisig in which he states that he "will be representing the Executive Plan Managerial Employees in their relationship with (the Mayor's) office and the City of Lansing." Mr. Reisig does not state which employees he represents nor is he specific regarding his/their purposes.

However, I suspect that Mr. Reisig has been retained by some employees who are concerned about signing contracts with me as you have directed.

It is important that I point out several things by way of sharing Mr. Reisig's letter. I also make one recommendation below.

At no time have I formally recommended contracts for current EP members. I understand that some of you may have discussed contracts and other employee issues with staff and that they may have made various suggestions and recommendations.

I have recommended against contracts for a simple reason: our Charter is clear that I have the authority to suspend or remove any or all Department Heads at any time. There is, thus, no pressing need for contracts with current staff.

I recommend that you authorize me to hire the law firm of Foster, Swift, Collins & Coey to represent the City in the matter of contracts with EP employees and any other matters to which Mr. Reisign may be referring.

I make this recommendation because our own City Attorney is a member of the EP plan. A memo from him in this regard also is attached.

You have directed me to prepare contracts for all EP employees. The Lansing Housing Commission Director is a member of the plan; however, the City Attorney has opined that the Housing Commission is independent. This may further complicate the issue of contracts.

It is possible that involved EP staff may at some point ask the City to pay Mr. Reisig for any work he may do. Please recall that you may have set a precedent in the matter of paying legal fees of employees who sue us—despite my recommendation that you not do so.

I will appreciate your quick action regarding authorization to hire legal counsel and any further policy direction in these matters.

Sincerely,

TERRY J. MCKANE,
Mayor.

Referred to the Committee of the Whole and Committee on Ways and Means.

Letter submitted from the M.A. Mortenson Company, Contractor of the Radisson Hotel Project, requesting closure of the sidewalk on Michigan Ave. to pedestrian traffic and for the adjacent parking lane to be closed.

By COUNCILMEMBER LINDEMANN—

That we concur in the request of the M.A. Mortenson Co. and the Michigan Ave. Sidewalk and adjacent parking lane be closed for approximately six months until the new building and dsidewalk are completed.

Adopted by the following vote:

YEAS: Councilman Belen, Benavides, Lindemann, Schmidt, Worthington—5.

NAYS: Councilman Adado, Blair, Creamer—3.

REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

Mr. Boyd spoke regarding street closing for the week and gave an update on interceptor drain work being done.

REMARKS BY THE CITY COUNCIL

Councilmember Lindemann asked about the Co Gen Contract for Diamond Reo site and wanted the covenants regarding the site to be brought to the Committee of the Whole this week.

Councilmember Adado asked about the latest on the Poxson Building Site and wanted the information brought to the Committee of the Whole meeting this week.

Councilmember Schmidt asked for an update on the Lindbergh/Schubel drain.

Councilmember Benavides asked Public Service to check on the lack of sighting for road work being conducted on Holmes Road by the Senior Citizens Living area.

By COUNCILMEMBER BENAVIDES—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:25 P.M.

RITA M. BAUMAN,
City Clerk.

December 9, 1985
Lansing, Michigan

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

Proceedings, December 16, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

December 16, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Lindemann.

Pledge of Allegiance.

By COUNCILMEMBER SCHMIDT—

That the council proceedings of September 30, October 7, 14, 21, 28, and November 4, 1985 be approved and carried.

PUBLIC HEARING

December 16, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Facilities Exemption Certificate for X-Ray Associates, 1322 E. Michigan Ave. (renovation of facility).

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Commercial Facilities Exemption Certificate they will have the privilege of speaking at this time.

Fred Abood, Attorney representing X-Ray Associates, spoke for petitioner.

Referred to the Committee on Economic Development.

December 16, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Facilities Exemption Certificate for LGH Medical Office Bldg. Partners, 2800 blk. Alpha Street (new facility).

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Commercial Facilities Exemption Certificate they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

December 16, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Facilities Exemption Certificate for Americor Ventures (Horizon House), 3000 blk of Alpha Street (new facility).

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Commercial Facilities Exemption Certificate they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

No persons spoke.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

Public Driver—James Donald Weeks—Thomas G. Curtin, II.

Bowling Alley—Pro Bowl Inc. and Holiday Lanes

Referred to the Committee on General Services.

Claim filed by Diana L. Roberts, 5550 W. Mall Dr. Ap. 1106, for reimbursement of damages incurred in an accident at corner of Waverly Rd. and Holmes Rd.

Referred to the Mayor and City Attorney.

Notice of Injury filed by Marguerite N. Rostorfer, conservator of the Estate of Jason Reeves, who sustained a skull injury on August 17, 1985 due to his bicycle hitting a drop-off in a city sidewalk.

Referred to the Mayor and City Attorney.

The Caravan Youth Center requests permission to place a banner on the Civic Center until March 10th to advertise their events of the Golden Gloves and the Royal Hanneford Circus.

Referred to the Mayor.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Mayor's letters 5a (Proclamation for National Drunk and Drugged Driving Awareness Week); 5b (1985 City Christmas Tree); 5c (Community development Block Grant Funds for Handicapper Ramp—Thank you from YWCA); and 5f (Letter of appreciation for staff assistance from parks Dept. during Octoberfest).

REPORT OF COMMITTEE

The COMMITTEE ON GENERAL SERVICES—

Approves the following licenses and bonds:

Public Driver—James Donald Weeks,
Bowling Alley—Pro Bowl Inc and Holiday Lanes

Signed:

SIDNEY WORTHINGTON
ALFREDA SCHMIDT
CHARLES CREAMER
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT—

To whom was referred the rezoning petition—Z-22-85—1600 Blk. E. Cavanaugh Road to be rezoned from "A" Residential to "DM-2" Residential District reports as follows: That said rezoning be approved.

Signed:

LUCILE BELEN
CHARLES CREAMER
TONY BENAVIDES
Committee on Physical Development

By COUNCILMEMBER BELEN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

December 12, 1985

President Charles Creamer and
Members of the Lansing City Council

RE: Claim of Rodney R. Renshaw in the amount of
\$168.00

Dear President Creamer and
Members of the Lansing City Council:

Mr. Rodney R. Renshaw, 4710 Allison Drive, Lansing, has submitted this claim for payment of charges incurred as a result of ambulance transportation by Lansing Mercy Ambulance Service, Inc. on October 14, 1985. Mr. Renshaw claims, and the Fire Department confirmed, that on October 14, 1985 a medical emergency existed at 4710 Allison Drive, and 911 was dialed to request an ambulance. All City medical units were out on call so an ambulance was dispatched from Lansing Ambulance Service.

It is the policy of the City of Lansing to pay for ambulance service under the above circumstances; therefore, it is the recommendation of this office that this claim be paid.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of \$168.00 payable to Lansing Mercy ambulance Service.

Carried.

December 12, 1985

President Charles Creamer and
Members of the Lansing City Council

RE: Claim of Dale Dezess in the amount of
\$200.00

Dear President Creamer and
Members of the Lansing City Council:

On October 2, 1985 Dale Dezess, 6811 Helman Boulevard, Lansing, a City employee, filed a written claim in the amount of \$200.00 for damage to his vehicle allegedly caused by construction on Cedar Street. Mr. Dezess' letter to the City Council states that on September 23, 1985 he was on his way to work and was driving over the Cedar Street overpass which was being resurfaced. Claimant further states that when his car's front tires dropped on to the stripped area of Cedar Street his exhaust system hit the concrete portion of the street and was thereby damaged. Mr. Dezess stated in that report that the impact "tore two holes in both sides" of his custom built exhaust system on his 1977 Oldsmobile.

Information received by this office on November 15, 1985 from Lenora Jadun, Assistant Superintendent of the Operations and Maintenance Division indicates that the City was resurfacing Cedar Street on the day of the accident. This information stated that the street had been milled in preparation

for new asphalt, and the change in elevation between the old surface and the milled surface was two inches.

According to her report, automobiles are normally unaffected by this change in elevation. Ms. Jadun spoke to Mr. Dezess concerning this claim on October 29, 1985, and he told her that he was aware of the street resurfacing project prior to the accident. He told Ms. Jadun that his speed was five to ten miles per hour and that the clearance from the ground to the exhaust "on his car was five inches."

Upon investigation by this office, the Claimant stated that his speed was ten to fifteen miles per hour when his car was damaged. He indicated that the portion of the exhaust system which was damaged were his "headers". He said that his vehicle is a '77 Cutless S with a 350 cubic inch V8 engine Mr Dezess said that exhaust headers "are for drag strip care," and that headers are devices attached to the engine "for purposes of releasing pressure from the valves to let exhaust out faster to give the automobile more power." He said that the car is designed to be on an incline at an angle to the road so that the back bumper is twenty-four inches from the ground and the front bumper is about twelve inches from the ground. The headers, which are seven to eight inches long and are parallel to the bottom of the car, extend from the bottom of the car to within four to five inches from the pavement.

An analysis of the facts leads to the conclusion that, with a normal five inch clearance from the headers to the paved surface, when claimant's front wheels dropped two inches on to the stripped portion of the road, there would have been at most only three inches of clearance from the paved road to the headers, and this is assuming that the car's suspension system at ten to fifteen miles per hour did not allow for normal shock absorption by allowing the car's chassis to drop two to three inches. Since normal shock absorption at claimant's stated speed would have allowed the car chassis to drop, the damage to Mr. Dezess' car is most probably a direct result of the design of his car and not the result of any dangerous or hazardous conditions of the road.

A municipality may be held responsible for dangerous conditions on its roadways. However, in this situation it is evident that there were no dangerous conditions. The City has not committed any act or omission which would be deemed negligence. To the contrary, it appears that the claimant's automobile was designed to be susceptible to damage over normal road conditions. The City has no liability. Therefore it is the opinion of this office that this claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

December 13, 1985

President Charles Creamer and
Members of the Lansing City Council

Dear Councilmembers:

In accordance with Section 7-107 of the Lansing City Charter, I am forwarding copies of the executive transfer that have been placed on file in the City Clerk's Office by the Budget Director.

Most sincerely,

RITA M. BAUMAN,
City Clerk.

Referred to the Committee on Ways and Means.

A PROGRAMMATIC AUDIT OF THE GARBAGE AND REFUSE COLLECTION SYSTEM IN THE CITY OF LANSING

Executive Summary

I. Introduction

Per the request of Councilman Sidney Worthington, Chairman of the Council Committee on General Services. I have conducted a programmatic audit of the City of Lansing Garbage and Refuse Collection System. This audit is now complete and is being submitted for review by the appropriate Council committee.

II. Findings

A. Financial. Each year since F.Y. 80 an operating loss has been incurred, requiring either a contribution from the City General Fund or subsidization from the Retain Earnings of the Garbage and Refuse Collection Fund. In F.Y. 83 the operating deficit of 11% was the smallest loss incurred in this decade. In F.Y. 84 the operating deficit grew to 12% of operating expenses.

In F.Y. 85, the most recently completed fiscal year, the operating deficit was \$275,587 or 18.64% of expenses. By subtracting the non-cash depreciation expense, the actual cash loss incurred in F.Y. 85 was \$198,683, of which \$148,664 (75%) was incurred as a result of bulk collection operations.

In F.Y. 86 the cash loss is projected at \$246,335. Retained earnings of the fund are insufficient to cover the projected loss. Moreover, if the City is to cover this loss through utilization of the existing rate structure, a 30% increase in orange bag prices will be necessary.

B. Operational. As has been the case with previous program audits, the paucity of program performance indicators lend a level of subjectivity to this report not inherent in the operational audit design. This being as it may, we have determined that the Refuse Collection System is in material compliance with the direction imparted by Chapter 16A, Ordinance #396 of the City Code of Ordinances. Further, it is Internal Audit's opinion that the operation of the system is conducted in an acceptably economical and efficient manner, and that the personnel responsible for the administration of this program have identified and implemented a considerable number of alternatives serving to increase the efficiency of this program.

III. Conclusions

From a program evaluation perspective we are dealing with two separate and distinct programs; that of household refuse collection including the collection of leaves, brush, etc., and that of bulk-item collection. Pursuantly, Internal Audit asserts that the City's cur-

rent practice of financing both programs through revenue generated from one program, household refuse collection, is not only regressive in nature (an inherent fact of user fee tax structure), but is also inequitable with regard to benefits received. Within the context of only primary users of the system, those who extensively utilize bulk collection services in any one year are subsidized by those who do not. Over the long run such inequities should materially balance out and, therefore, do not present a particularly disconcerting issue. However, as it has been the practice, albeit not the expressed policy of the City to provide users of private sector refuse collection with bulk-item City services, the result is that the primary users of the City system heavily subsidize many of the customers of private sector refuse services. This situation creates an even greater disparity between fees paid and benefits received for those City residents who are primary users of City services.

As the problems identified are pervasively financial in nature, the solutions are, therefore, financial as well. The simplest course of action is to retain the current fee structure by financing both programs through orange bag sales. Adherence to this concept will necessitate a rate increase of over 30% in F.Y. 87. This option is not advocated by Internal Audit due to two considerations beyond the inherent inequities of the fee structure previously discussed. First, a rate increase of this magnitude would serve to price many low-income customers out of our program essentially defeating the intent of the program. Second, the more closely the City's prices approximate the private sectors', the greater the risk of losing City customers to the private sector. Also, to the extent we equal private sector prices, a viable option would be to discontinue services altogether allowing the marketplace to address service delivery and relagating our efforts to code enforcement functions. However, if we are to deal with the costs of bulk collection as a separate issue, then a rate increase of approximately 10% would suffice to place the household refuse collection program on a self-supporting basis.

Finally, if we are to deal with bulk collection as a separate issue, three basic options are available. One, institute a per unit fee for bulk collection services. Again, this would serve to price low-income individuals out of the marketplace thereby defeating the perceived intent of the program. This point is particularly valid if we charge a rate equal to our costs. At a rate of \$15/item we should consider terminating the program and rely solely on code enforcement. Two, fund the program through the City General Fund. While serving to address the problems previously identified, this option also stresses an already burdened General Fund revenue structure. Three, a combination of one and two. Institute a nominal fee for bulk collection with excess costs subsidized by the General Fund.

I am available to discuss the audit report, and the basis for our conclusions and recommendations.

GREG KOESSEL,
Internal Auditor

Referred to Committee on General Services.

December 9, 1985

President Charles Creamer and
Members of the Lansing Council

Dear President Creamer:

At its regular meeting of December 4, 1985, the Board of Directors of the Lansing Economic Development Corporation approved the attached Project Plan for the Interstate Foods project.

Feel free to call if I can be of service.

Sincerely,

EMERSON OHL,
Executive Director
Lansing EDC

Referred to the Committee on Economic Development.

PROCLAMATION

Whereas: Traffic crashes cause more violent deaths in the United States than any other cause, over 50,000 in 1980; and

Whereas: Traffic crashes also play a substantial role in serious injuries, causing most of the new cases of epilepsy and paraplegia in the United States each year; and

Whereas: Between 45 and 55 percent of fatally injured drivers have alcohol concentrations in their blood above the legal limit, and this figure rises to 55 to 65 percent in single-vehicle crashes; and

Whereas: There are increasing reports of collisions involving drivers who have used prescription or illegal drugs; and

Whereas: There has been a groundswell of national and local activity aimed at these problems through citizen's groups, task forces, and the Presidential Commission on Drunk Driving; and

Whereas: Increased public knowledge about the gravity of the problem of drunk and drugged driving may convince alcohol and drug users to refrain from driving; and

Whereas: The Christmas and New Year's holiday period is a particularly appropriate time to focus national attention on this critical problems, because more drivers are on the roads, more social functions are attended, and more traffic collisions occur.

Now, Therefore, I, Terry J. McKane, Mayor of the City of Lansing, by the power vested in me, do hereby proclaim December 15-21, 1985, as:

"NATIONAL DRUNK AND DRUGGED DRIVING AWARENESS WEEK"

Given under my hand and the Seal of the City of Lansing this twentieth day of November in the year of Our Lord one thousand nine hundred and eighty-five.

TERRY J. MCKANE,
Mayor.

December 12, 1985

Council President Charles Creamer
and City Councilmembers

Dear President Creamer and Councilmembers:

This year's official City Christmas tree comes from 4712 Laurie Lane in Lansing.

The house of Laurie Lane was originally purchased in 1957 by John and Gladys Konen. The Konen's son, Douglas Lasher, was a young man when the home was purchased. The subdivision had been developed by an Uncle, Carlton Kessler, and all of the homes in the subdivision were landscaped with trees and shrubs when they were built. However, the soil in the area was generally hard clay, and the original tree at 4712 Laurie Lane died and was replaced by young Douglas and one of his Uncle's workmen in the fall of 1958, when Douglas was 15 years old. Little did Douglas know at the time that 27 years later, this same tree would become the official City of Lansing Christmas tree.

The tree was later cared for and donated to the City as the official 1985 City of Lansing Christmas tree by the Douglas Rasmussen family who currently live in the house on Laurie Lane. All of us continue to enjoy its beauty as it graces our Capitol and downtown Lansing.

On behalf of all Lansing residents, I thank the Douglas Rasmussen family for their generous gift and Douglas Lasher for sharing the story of this special tree. May all of you enjoy a bright and joyous holiday season.

Sincerely,

TERRY J. McKANE,
Mayor.

Received and placed on file.

December 12, 1985

Council President Charles Creamer and
Lansing City Councilmembers

Dear President Creamer and Councilmembers

I have received a letter from George Baer on behalf of the Oldtimers Baseball Organization. This is their 26th anniversary and they will be holding their annual dinner on Monday, January 13, 1986 in the Main Auditorium of the Civic Center.

For the last fifteen years the City of Lansing has waived the fees for the use of the auditorium. The organization is asking that the same consideration be given this year.

I am recommending that the fees be waived for the use of the Main Auditorium of the Civic Center, and am submitting this request for your concurrence.

Sincerely,

TERRY J. McKANE,
Mayor.

Referred to the Committee on Public Properties and Safety.

DATE: 12/11/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Building Safety.

RE: Request for Public Hearing Subject
Property: 5912 Pheasant

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER BLAIR—

That we concur in the recommendation of the Mayor and this request for public hearing for make-safe or demolition of property located at 5912 Pheasant St. be set for January 27, 1985.

Carried.

DATE: 12/11/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Building Safety

RE: Request for Public Hearing Subject Property:
6420 Hilliard

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER BLAIR—

That we concur in the recommendation of the Mayor and the public hearing for make-safe or demolition of property located at 6420 Hilliard Rd. be set for January 27, 1986.

Carried.

DATE: 12/10/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Building Safety

RE: Request for Public Hearing Subject Property:
1447 Roosevelt

The attached correspondence is submitted with my concurrence for your action.

TERRY J. McKANE,
Mayor.

By COUNCILMEMBER BLAIR—

That we concur in the recommendation of the Mayor and the public hearing for make-safe or demolition of property located at 1447 Roosevelt be set for January 13, 1986.

Carried.

DATE: 12/10/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Building Safety

RE: Request for Public Hearing Subject Property: 1904 N. East St.

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE,
Mayor.

By COUNCILMEMBER BLAIR—

That we concur in the recommendation of the Mayor and the make-safe or demolition of property located at 1904 N. East St. be set for public hearing on January 13, 1986.

Carried.

DATE: 12/10/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Director of Building Safety

RE: Request for Public Hearing Subject Property: 915 W. Kalamazoo

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE,
Mayor.

By COUNCILMEMBER BLAIR—

That we concur in the recommendation of the Mayor and the public hearing for make-safe or demolition of property located at 915 W. Kalamazoo be set for January 13, 1986.

Carried.

DATE: 12/6/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from President of YWCA

RE: Community Development Block Grant funds for Handicapper Ramp—Thank you

The attached correspondence is submitted for your information.

TERRY J. MCKANE,
Mayor.

Received and placed on file.

DATE: 12/6/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Lansing Jaycees

RE: Appreciation of Staff Assistance from Parks Department During Recent Oktoberfest

The attached correspondence is submitted for your information.

TERRY J. MCKANE,
Mayor.

Received and placed on file.

DATE: 12/11/85

TO: City Council President Creamer and Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence from Budget Director

RE: Transfer of Funds

The attached correspondence is submitted with my concurrence for your action.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Ways and Means.

RESOLUTIONS

By COMMITTEE ON GENERAL SERVICES—

RESOLUTION #0636

Resolved by the City Council of the City of Lansing:

That the Mayor's reappointment of Frank L. Throop to the Building Board of Appeals for a term to expire June 30, 1989, is hereby confirmed.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

RESOLUTION #0637

Resolved by the City Council of the City of Lansing:

That the Mayor's appointment of Douglas DeFrain and Ronald Risdon in Mr. DeFrain's absence, as the Chief Labor Negotiator for the purpose of negotiating the labor contracts with the Fraternal Order of Police, Lodge #141, and Lansing Fire Fighters Union is hereby confirmed.

Adopted by the following vote:

Yeas—Councilmen Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—6.

Nays—Councilmen Adado, Blair—2.

By COMMITTEE ON GENERAL SERVICES—
RESOLUTION #0638

Resolved by the City Council of the City of Lansing:

Whereas, the Committee on General Services has reviewed the application of Wicker Limousine Service for licensing of three motor buses, and has recommended approval of the application;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the application of Wicker Limousine Service for licensing of three limousines as motor buses to operate within the City of Lansing.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—
RESOLUTION #0639

Resolved by the City Council of the City of Lansing:

Whereas, under Section 33-8 of the City Code, a motor bus license fee shall be fixed by City Council resolution; and

Whereas, the Committee on General Services recommends that said fee be set at the same amount as for taxicabs;

Now, Therefore, Be It Resolved, the Lansing City Council hereby establishes a fee of \$25 per motor bus licensed by the City of Lansing under the provisions of Sections 33-6 through 33-9 of the City Code.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—
RESOLUTION #0640

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Building Safety Division determined that the building located at 1133 North Pennsylvania, legally described as Com 231 Ft. S. of SW cor N. Pennsylvania Ave. & E. Grand River, TH S 45.5 FT., W. 111.75 FT., N. 45.5 FT. E 111.75 Ft to Beg; James Seymour S Sub,

Was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Board on October 24, 1985, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on December 9, 1985, to review the findings and order of the Hearing Officers, and the owners were notified in

writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building; and

Be It Further Resolved that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution; and

Be It Further Resolved that, should the owner fail to substantially comply with the Hearing Officer's order for demolition or otherwise make safe, the Director of the Department of Building Safety and Development is hereby directed to proceed with demolition of said building; and

Be It Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Finally Resolved that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—
RESOLUTION #0641

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Building Safety Division determined that the building located at 121 Garden, legally described as E 24 Ft. Lot 6 & W 8 Ft. Lot 7, Block 1, Hall's Third Add., was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Board on October 24, 1985, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on December 9, 1985, to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building; and

Be It Further Resolved that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution; and

Be It Further Resolved that, should the owner fail to substantially comply with the Hearing Officer's order for demolition or otherwise make safe, the Director of the Department of Building Safety and Development is hereby directed to proceed with demolition of said building; and

Be It Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Finally Resolved that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION -0642

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-2-81 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, at 3222 S. Logan, known as Logan Square; and

Whereas, Frandorson Properties has applied for an amendment to an existing Commercial Facilities Exemption Certificate for renovation of an existing facility within said Commercial Redevelopment District CRD-2-81; and

Whereas, a hearing was held on Frandorson Properties application for an Exemption Certificate on December 9, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, Frandorson Properties has met or will meet the requirements for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the amendment of this existing Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem

property taxes in the City of Lansing (financial impact statement dated December 11, 1985 attached hereto).

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the application from Frandorson Properties for an amendment to an existing Exemption Certificate in Lansing Commercial Redevelopment District CRD-2-81, for renovation of an existing facility, to remain in effect for the duration of the existing certificate (December 31, 1995).

Adopted by the following vote:

Yeas—Councilman Adado, Belen, Benavides, Creamer, Lindemann, Schmidt—6.

Nays—Councilman Blair, Worthington—2.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0643

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-6-85 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, at the northwest corner of Edgewood Boulevard and South Cedar Street; and

Whereas, the Fox and Associates, Inc. has applied for a Commercial Facilities Exemption Certificate for construction of a new building within said Commercial Redevelopment District CRD-6-85; and

Whereas, a hearing was held on Fox and Associate's application for an Exemption Certificate on November 12, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, the Fox and Associates has met or will meet the requirements for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the amendment of this existing Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated November 12, 1985 attached hereto).

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the application from Fox and Associates, Inc. for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-6-85, for construction of a new structure, to remain in effect for a period of 12 years.

Adopted by the following vote:

Yeas—Councilman Adado, Belen, Benavides, Creamer, Lindemann, Schmidt—6.

Nays—Councilman Blair, Worthington—2.

Councilman Blair left the session.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION #0644

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-10-81 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, at 300 Frandor Avenue (Frandor Shopping Center); and

Whereas, Frandorson Properties has applied for a Commercial Facilities Exemption Certificate for renovation of existing facilities within said Commercial Redevelopment District CRD-10'81; and

Whereas, a hearing was held on Frandorson Properties' application for an Exemption Certificate on December 2, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, Frandorson Properties has met or will meet the requirement for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the amendment of this existing Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated December 3, 1985 attached hereto).

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the application from Frandorson Properties for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-10-81, for renovation of an existing structure, to remain in effect for a period of ten (10) years.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0645

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-11-85 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, at 208 N. Capitol Avenue; and

Whereas, M&D Associates I has applied for a Commercial Facilities Exemption Certificate for renovation of existing facilities within said Commercial Redevelopment District CRD-11-85; and

Whereas, a hearing was held on M&D Associate's application for an Exemption Certificate on December 9, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, M&D Associates I has met or will meet the requirements for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the amendment of this existing Exemption Certificate, considered

together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated December 10, 1985 attached hereto).

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the application from M&D Associates I for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-11-85, for renovation of an existing structure, to remain in effect for a period of 12 years.

Adopted by the following vote:

Unanimously.

Councilman Blair returned.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0646

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-13-85 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, in the 900 block of Terminal Road; and

Whereas, Mark Lewis has applied for a Commercial Facilities Exemption Certificate for construction of a new facility within said Commercial Redevelopment District CRD-13-85; and

Whereas, a hearing was held on Mark Lewis's application for an Exemption Certificate on December 9, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, Mark Lewis has met or will meet the requirements for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the granting of this existing Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated December 10, 1985 attached hereto).

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the application from Mark Lewis for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-13-85, for construction of a new facility, to remain in effect for a period of twelve (12) years.

Adopted by the following vote:

Yeas—Councilman Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—7.

Nays—Councilman Blair—1.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0647

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-14-85 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, at 212 S. Washington Square; and

Whereas, Sinn Fein, Inc. has applied for a Commercial Facilities Exemption Certificate for construction of a new facility within said Commercial Redevelopment District CRD-14-85; and

Whereas, a hearing was held on Sinn Fein's application for an Exemption Certificate on December 9, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, Sinn Fein, Inc. has met or will meet the requirements for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the granting of this existing Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated December 10, 1985 attached hereto).

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the application from Sinn Fein for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-14-85, for renovation of an existing structure, to remain in effect for a period of twelve (12) years.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0648

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-15-85 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, at 301 S. Washington Square; and

Whereas, Kenneth Stockwell has applied for a Commercial Facilities Exemption Certificate for construction of a new facility within said Commercial Redevelopment District CRD-15-85; and

Whereas, a hearing was held on Kenneth Stockwell's application for an Exemption Certificate on December 9, 1985 at which time all interested person had an opportunity to be heard; and

Whereas, Kenneth Stockwell has met or will meet the requirements for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the granting of this existing Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated December 10, 1985 attached hereto).

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the application from Kenneth Stockwell for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-15-85, for renovation of an existing structure, to remain for a period of twelve (12) years.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0649

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-16-85 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, at 303 S. Washington Square; and

Whereas, Anthony Randall has applied for a Commercial Facilities Exemption Certificate for construction of a new facility within said Commercial Redevelopment District CRD-16-85; and

Whereas, a hearing was held on Anthony Randall's application for an Exemption Certificate on December 9, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, Anthony Randall has met or will meet the requirements for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the amendment of this existing Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated December 10, 1985 attached hereto).

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the application from Anthony Randall for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-16-85, for renovation of an existing structure, to remain in effect for a period of twelve (12) years.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0650

Resolved by the City Council of the City of Lansing:

Whereas, this Council desires to establish a Lansing Commercial Redevelopment District CRD-18-85, pursuant to Public Act 255 of 1978 on City owned land (URP#6); and

Whereas, due notice has been given for a public hearing on said petition; and

Whereas, at such hearing held on the 9th day of December, 1985, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is located at the corner of Washington Ave. and Shiawassee St., Lansing, Michigan, more particularly described as:

The West 100 ft. of the North 132 ft. of block 67, Original Plat, City of Lansing, Ingham County, Michigan,

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for commercial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity.

Now, Therefore, Be It Resolved the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-18-85 on the above described property.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE— RESOLUTION #0651

Resolved by the City Council of the City of Lansing:

Whereas, this Council desires to establish a Lansing Commercial Redevelopment District CRD-19-85, pursuant to Public Act 255 of 1978 on City owned land (URP#12); and

Whereas, due notice has been given for a public hearing on said petition; and

Whereas, at such hearing held on the 9th day of December, 1985, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is located at Washington Avenue between Ionia and Ottawa Streets, Lansing, Michigan, more particularly described as:

The North 3 ft. of Lot 7, all of Lots 8 and 9 of Jones Subdivision of Lots 6 and 7 of Block 97 in the City of Lansing; also the West 44 ft. of the South 73 ft. of Lot 4, the South 73 ft. of Lot 5 and the North 47 ft. of the West 10 ft. of the East 32 ft. of Lot 7, all in Block 97 Original Plat Town of Michigan, City of Lansing, Ingham County, Michigan.

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for commercial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by ob-

solete commercial property and a decline in commercial activity.

Now, Therefore, Be It Resolved the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-19-85 on the above described property.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE— RESOLUTION #0652

Resolved by the City Council of the City of Lansing:

Whereas, this Council desire to establish a Lansing Commercial Redevelopment District CRD-20-85, pursuant to Public ACT 255 of 1978 on City owned land (URP#10); and

Whereas, due notice has been given for a public hearing on said petition; and

Whereas, at such hearing held on the 9th day of December, 1985, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is located at the corner of Washington Avenue and Ottawa Street, Lansing, Michigan, more particularly described as:

The East 140 ft. of Lots 5 and 6 also vacated Washington Square commencing at the SE corner Lot 6, thence East 5 ft., North 132 ft, West 5 ft, South 132 ft. to a point of beginning, Block 96, Original Plat, Town of Michigan, City of Lansing, Ingham County, Michigan.

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for commercial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity.

Now, Therefore, Be It Resolved the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-20-85 on the above described property.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE— RESOLUTION #0653

Resolved by the City Council of the City of Lansing:

Whereas, this Council desires to establish a Lansing Commercial Redevelopment District CRD-21-85, pursuant to Public Act 255 of 1978 on City owned land (URP#5B1 & 5C1); and

Whereas, due notice has been given for a public hearing on said petition; and

Whereas, at such hearing held on the 9th day of December, 1985, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is located on Washington Avenue between Shiawassee and Ionia Streets, Lansing, Michigan, more particularly described as:

The South 126 ft. of the North 246 ft. of the East 180 ft. of Block 83, Original Plat, town of Michigan, City of Lansing, Ingham County, Michigan.

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for commercial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial property.

Now, Therefore, Be It Resolved the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-21-85 on the above described property.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0654

RESOLUTION APPROVING PROJECT PLAN
AND ISSUANCE OF BONDS
(Accident Fund Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan held at 7:00 o'clock p.m., Michigan Time, on December 16, 1985, at which the following members were present:

Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann, Schmidt, and Worthington, and the following were absent: none

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Belen:

Whereas, this City Council has given notice pursuant to Section 17 of Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act") and Temporary Treasury Regulations Section 5f.103-2, of a public hearing which was held earlier on December 9, 1985 relative to (i) the Project Plan for the Accident Fund Project (the "Project") of The Economic Development Corporation of the City of Lansing (the "Issuer") and (ii) the issuance of bonds by the Issuer to assist in the financing of the Project.

Whereas, at said public hearing, the fullest opportunity was given for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the Project Plan, and the issuance of bonds, and further, this City Council has given due consideration to all communications received in writing with reference thereto; and

Whereas, this City Council made and preserved a record of the public hearing, including all data presented thereat; and

Whereas, this City Council desires to express its approval of said Project Plan and the Project described therein and the issuance of bonds by the Issuer to assist in the financing of the Project, and wishes to re-

quest the Issuer to proceed with the Project and the financing thereof.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, as follows:

1. It is hereby determined that the Project Plan for the Project as presented constitutes a public purpose within the meaning of the Act and said Project Plan is hereby approved in its entirety based on the following considerations:

(a) The Project Plan meets the requirements set forth in Section 8 of the Act.

(b) The persons who will be active in the management of the Project for not less than one year after the approval of the Project Plan have sufficient ability and experience to manage the Plan properly.

(c) The proposed method of financing the Project is feasible and the Issuer has the ability to arrange the financing.

(d) The Project is reasonable and necessary to carry out the purposes of the Act.

2. By adoption of this resolution approving the Project Plan this City Council intends to and hereby does approve the issuance, sale and delivery of not to exceed \$7,500,000 in aggregate principal amount of limited obligation economic development bonds described in the Project Plan as is required by the Tax Equity and Fiscal Responsibility Act of 1982 and Temporary Treasury Regulations Section 5f.103-2.

3. The Issuer is hereby requested to proceed with the Project and the financing thereof.

4. All resolution or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

5. The City Clerk is hereby directed to provide three (3) certified copies to the Secretary of the Issuer.

Yeas—Councilman Adado, Belen, Benavides, Blair, Creamer, Lindemann Schmidt and Worthington—8.

Nays—None.

Abstentions—None.

Resolution declared adopted.

STATE OF MICHIGAN)
) SS.
COUNTY OF INGHAM)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 16th day of December, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

RITA M. BAUMAN,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

Councilmember Benavides moved to substitute the following resolution for the one in the packet.

Carried.

By COUNCILMAN BENVAIDES—

RESOLUTION #0655

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division Staff, the Traffic Board and the Mayor have recommended denial of a request for stop signs at the intersection of Catherine Street and Fauna Avenue, and

Whereas, the Committee on Public Properties & Safety has considered this request and conferred with the Councilmember from the Third Ward, now

Whereas, Be It Resolved, the City Council of the City of Lansing hereby approves the installation of "yield" signs at the intersection of Fauna Avenue and Catherine Street.

By COUNCILMEMBER BENAVIDES—

That this resolution be amended in the last line by striking the words, "at the intersection of" and inserting the word "on" Fauna Avenue, changing "and" to "at" before Catherine St., to read "of "yield" signs on Fauna Avenue at Catherine Street."

Carried.

The substitute resolution as amended was adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0656

Resolved by the City Council of the City of Lansing:

Whereas, on July 8, 1985 Stop signs were installed on Barnes Avenue at Beal Avenue as a trial measure, making this intersection a four-way stop in accordance with the NDA #4 plan; and

Whereas, the Transportation Division did a study of vehicle speeds on Barnes Avenue before and after the Stop signs on Barnes Avenue were installed; and

Whereas, the midblock vehicle speeds on Barnes Avenue increased significantly after the Stop signs were installed and the installation of Stop signs on Barnes Avenue had no impact on reducing speeds on Barnes Avenue except at Beal Avenue; and

Whereas, the Transportation Division staff, the Traffic Board, the Mayor and the Committee on Public Properties and Safety have all recommended removal of the Stop signs on Barnes Avenue;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the removal of Stop signs on Barnes Avenue at Beal Avenue.

Adopted by the following vote:

Yeas—Councilman Belen, Benavides, Blair, Creamer, Lindemann, Worthington—6.

Nays—Councilman Adado, Schmidt—2.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0657

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor has submitted for Council consideration and confirmation the appointment of Lee W. Hendrickson to the At-Large position on the Civic Center Board, now

Therefore, Be It Resolved, the City Council of Lansing hereby approves and confirms the appointment of Lee W. Hendrickson to the At-Large position on the Civic Center Board for a term to expire in June 1986.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

RESOLUTION #0658

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing Personnel Rules for Executive Pay Plan personnel and exempt personnel define the manner by which the Chief of Police, Assistant Chief of Police, and Deputy Chiefs of Police shall be paid; and

Whereas, those personnel rules are defined by a relationship to the highest-paid Fraternal Order of Police-Supervisory personnel for those police positions; and

Whereas, the City of Lansing has recently accepted an arbitration award for the Fraternal Order of Police-Supervisory Unit;

Now, Therefore, Be It Resolved, that the Finance Department/Budget Division be given administrative authority to transfer funds from the General Administration fringe benefit account to the appropriate salary and benefit accounts.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

RESOLUTION #0659

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing is undertaking redevelopment and housing rehabilitation projects for the revitalization of blighted areas in cooperation with the Federal government for financial assistance pursuant to P.A. 344 of 1945, as amended, in an area known as Neighborhood Development Area No. 4; and

Whereas, the Citizen's District Council for Neighborhood Development Area No. 4 was created pursuant to P.A. 344 of 1945, as amended, to serve as the means to reflect the needs and recommendations of the community residents and to assist in monitoring and evaluating the physical development plan; and

Whereas, an election is held each year for one third of the expiring membership on the Citizens' District Council (CDC); and

Whereas, the current members whose terms have expired are still interested in the work of CDC; and

Whereas, the number of people generally voting in this election is significantly low; and

Whereas, it would be more cost effective to extend the terms rather than bear the expense of holding an election; and

Whereas, the City Council wants to realize active participation of property owners in the form of committed rehabilitation applications by June 4, 1986; and

Whereas, the City Council is anticipating the phase-out of Neighborhood Development Area No. 4 by December 5, 1986'

Now, Therefore, Be It Resolved, that there will be no election held for Citizens' District Council in 1985; and

Be It Further Resolved, that the terms of office which expired on October 12 and 15, 1985, be extended to December 5, 1986.

Adopted by the following vote:

Unanimously.

The resolution regarding creation of Real Estate 36 Position under Property Management Division of Administrative Service Dept. was referred back to the Committee of the Whole.

By COMMITTEE OF THE WHOLE—

RESOLUTION #0660

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor's letter dated December 6th, 1985 recommending outside legal counsel to represent the city in all matters related to contracts with Executive Plan personnel has been reviewed by the Council, and

Whereas, the majority of councilmembers do not see the necessity of going to outside counsel on this matter, and

Whereas, the Chief Assistant City Attorney is familiar with matters pertaining to E.P. employment contracts and is not an Executive Plan employee himself and therefore has no conflict of interest, now,

Therefore, Be It Resolved the City Council of the City of Lansing does not authorize retaining outside legal counsel for the purpose of representing the city in the matter of Executive Plan contracts as there are sufficient legal staff resources in our legal department.

Adopted by the following vote:

Yeas—Councilman Adado, Benavides, Blair, Creamer, Lindemann, Schmidt—6.

Nays—Councilman Belen, Worthington—2.

By WAYS AND MEANS COMMITTEE—

RESOLUTION #0661

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$175.00 from Misc. & Operating Expenses

A/C 101-105-000-741

175.00 to Equipment-Internal Audit

A/C 101-105-000-977

(replacement for defective calculator. Repairman advises scrapping old calculator.)

\$150.00 from Estimated Revenues

A/C 101-000-000-160

150.00 to Fire Dept. Citizen Contributions

A/C 101-337-000-956

(contribution from Resident Governing Council of Friendship Manor for E.M.S. Program.)

\$1,000.00 from Reserve for Contingency

A/C 101-941-000-963

1,000.00 to Gen. Adm. Equipment

A/C 101-101-000-977

(additional funding to complete renovation & furniture purchases for City Council. Approval of this transfer provides authorization for Council staff to proceed with renovation plan as submitted by Inst. of Merch. & Design dated 11-26-85.)

\$250.00 from Estimated Revenues

A/C 101-000-000-160

250.00 to Human Resources Community

A/C 101-941-000-964

(donation of funds from Kiwanis Club of Lansing Everett for planting of 12 trees at Quentin Park)

\$1,300.00 from Public Serv. Act 51 Major Winter Maint-Materials

A/C 202-478-000-782

1,300.00 to Pub. Serv. Act 51 Major O&M Admin. Equipment

A/C 202-482-200-977

(provide funds for the purchase of speed dial telephones & telephone answering machines.)

Balance remaining in the Reserve for Contingency Fund after this transfer is \$342,042.00.

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director

APPROVED:

JAMES BLAIR
PATRICK LINDEMANN
TONY BENAVIDES
Ways and Means Committee

Adopted by the following vote:

Unanimously.

INTRODUCTION OF ORDINANCE(S)

The following ordinance(s) of the City of Lansing, Michigan providing that the code of ordinances be amended by:

Providing that Subsection (1) of Section 37-35 of Chapter 37 be amended to provide that the financial guarantee requirements for public improvements may be waived by City Council was introduced by Councilmember Belen read a first and second time by its title(s) and referred to the Committee on Physical Development.

By COMMITTEE ON PHYSICAL
DEVELOPMENT—

RESOLUTION #0662

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, Dec. 23, 1985 at 7:00 P.M. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving the ordinance providing that subsection (1) of Section 37-35 of Chapter 37 be amended to provide that the financial guarantee requirements for public improvements may be waived by City Council.

Adopted by the following vote:

Unanimously.

ORDINANCES

By COUNCILMEMBER BELEN—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of property located in the City of Lansing, Mich. and for the revision of the district maps adopted by Section 36-6 of the code for property located at:

Z-22-85—1600 Blk. E. Cavanaugh Road to be rezoned from "A" Residential to "DM-2" Residential District filed by Atty. Chris A. Bergstrom

And recommended that the ordinance be passed.

By COUNCILMAN BELEN—

That the first reading of this rezoning be considered as a reading in its entirety.

Carried.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-22-85—1600 Blk. E. Cavanaugh Road to be rezoned from "A" Residential to "DM-2" Residential filed by Atty. Chris A. Bergstrom be placed on order of immediate passage.

By COUNCILMEMBER BELEN—

Resolved by the City Council of the City of Lansing:

That the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the rezoning of a parcel of real property located in City of Lansing, Michigan and for the revision of the district maps adopted by Section 36-6 of the Code for property located at Z-22-85 1600 Blk. E. Cavanaugh Road to be rezoned from "A" Residential to "DM-2" Residential District filed by Atty. Chris A. Bergstrom be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 2175

An Ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the District Maps adopted by Section 36-6 of the Code of Ordinances.

The City of Lansing Ordains:

Section 1. That the district maps adopted by and incorporated as Section 36-6 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number—Z-22-85, 1600 Block of East Cavanaugh Road

Parcel Number—3301-34-251-001

Legal Description: West ¼ of the NE ¼ also commencing north ¼ post; thence south 841.5 feet, west to center of Sycamore Creek, northerly along center of Creek to a point 620 feet due south of north section line, northwesterly to a point on the east line of NCRR ROW 265.5 feet south of north section line, northwesterly along ROW line to north section line, east to beginning; except commencing at section center; thence east 254.8 feet, north 825 feet, west 254.8 feet, south 825 feet to beginning, Section 34, T4N, R2W, City of Lansing, Ingham County, Michigan.

From "A" Residential District to "DM-2" Residential District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMEMBERS BENAVIDES, BELEN, LINDEMANN, SCHMIDT, WORTHINGTON AND ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter from H&S Foods, Inc. regarding problems in the parking lot in the Burger King Restaurant, 3121 E Saginaw (near Frandor).

Copies to all Councilmembers and the Mayor.

Michale D. and Nancy C. Boyce submits letter regarding their experience in renting the Turner Dodge House and the problems involved.

Referred to the Committee on Public Properties and Safety.

Continental Cablevision of Michigan, Inc. submits letter for recommendations of three members to be appointed to the Lansing Cable Advisory Board and the Community Access Corporation.

Referred to the Committee on General Services.

By COUNCILMAN BENAVIDES—

RESOLUTION #0663

Resolved by the City Council of the City of Lansing:

Whereas, a member of Council Staff has requested a waiver of City Council personnel rules regarding longevity compensation, and

Whereas, Council has reviewed this request and determined it is not without merit, now

Therefore, Be It Resolved, effective October 1, 1985 Article 15 section D of the January 15th, 1985 Council Staff Personnel Rules is hereby amended to read October 6th in each instance October 1st is utilized.

Adopted by the following vote:

Unanimously.

By LUCILE BELEN—

RESOLUTION #0664

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-18-85, at the corner of Washington Ave. & Shiawassee St. (Urban Renewal Parcel #6; and

Whereas, Gentilozzi Real Estate has applied for a commercial Facilities Exemption Certificate for construction of a new facility in this area; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on Gentilozzi Real Estate's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-18-85; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, December 30, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BELEN—

RESOLUTION #0665

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-20-85, at the corner of Washington Ave. & Ottawa St. (Urban Renewal Parcel #10); and

Whereas, Gentilozzi Real Estate has applied for a Commercial Facilities Exemption Certificate for construction of a new facility in this area; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on Gentilozzi Real Estate's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-20-85; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, December 30, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BELEN—

RESOLUTION #0666

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-21-85, on Washington Ave. between Shiawassee & Ionia St. (Urban Renewal Parcel #5B1 & 5C1); and

Whereas, Gentilozzi Real Estate has applied for a Commercial Facilities Exemption Certificate for construction of a new facility in this area; and

Whereas, it is necessary to hold a public hearing prior to this council's taking action on Gentilozzi Real Estate's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-21-85; and

Be It Finally Resolved that such hearing shall be

held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, December 30, 1985 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BELEN—

RESOLUTION #0667

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-19-85, at Washington Ave. between Ionia & Otawa St. (Urban Renewal Parcel #12; and

Whereas, R&A Development Company has applied for a Commercial Facilities Exemption Certificate for construction of a new facility in this area; nad

Whereas, it is necessary to hold a public hearing prior to this council's taking action on R&A Development's application for a Commercial Facilities Exemption Certificate.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

Be It Further Resolved that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District CRD-19-85; and

Be It Finally Resolved that such hearing shall be held at the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, December 30, 1985 at: 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

DATE: 12/16/85

T O: City Council President Creamer and Councilmembers

F ROM: Terry J. McKane, Mayor

S UBJECT: Submission of attached correspondence from Director of Planning Municipal Development

R E: Tax Abatement Review

CRD-10-85, 1322 East Michigan Ave.
CRD-17-85, Alpha Street

The attached correspondence is submitted for your information.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Economic Development.

Remarks by Howard McCaffery, Director of Public Service, who spoke on behalf of the Mayor.

Mr. McCaffery stated that Clemens Street between Elizabeth St. and Kalamazoo St. would be opened this week.

REMARKS BY THE CITY COUNCIL

Councilmember Belen urged Food Bank Donations at this time.

Councilmember Schmidt asked about the Sycamore Interceptor Drain work around Beulah and South Street.

Councilmember Adado remarked about the winning game of the Pottsville Girls Basketball Team.

Councilmember Creamer presented a plaque to Karen Erickson in recognition of her being a Cable 28 TV helper.

Paul Gentilozzi, 1600 Boyton Dr., spoke regarding offer to purchase Parcel #10, Urban renewal property downtown. He submitted check and offer to the City Clerk.

Councilmember Blair moved to have the City Clerk transport the proposal and check directly to the Mayor.

Carried.

Councilmember Lindemann asked for the Mayor to report to Bruce Stark weekly regarding this proposal.

By COUNCILMEMBER CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:45 P.M.

RITA M. BAUMAN,
City Clerk.

December 16, 1985
Lansing, Michigan

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

Proceedings, December 23, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

December 23, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Benavides, Blair, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: Councilman Belen—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilmember Benavides.

Pledge of Allegiance.

By COUNCILMEMBER SCHMIDT—

That the council proceedings of November 12, 1985 be approved and Carried.

PUBLIC HEARING

December 23, 1985, at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Facilities Exemption Certificate for Americor Ventures (Horizon House), 3000 blk. Alpha Street, (renovation of an existing facility).

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Commercial Facilities Exemption Certificate they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

December 23, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Facilities Exemption Certificate for Frandorson Properties, 3222 S. Logan St. (Logan Square—new facility).

The Council President will announce that if there is anyone present who has any suggestions or objections

to make to the proposed commercial facilities Exemption Certificate they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

December 23, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Project Plan and Issuance of Limited Obligation Revenue Bonds for Inter State Foods, Inc., Project 200 block of North Larch Street.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Project Plan and issuance of Limited Obligation Revenue Bonds they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

December 23, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed ordinance amending Subsection (1) of Section 37-35 of Chapter 37 be amended to provide that the financial guarantee requirements for public improvements may be waived by City Council.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed ordinance amendment they will have the privilege of speaking at this time.

Letter submitted by Greg and Diane Wade, 534 Cherry Street, opposing this ordinance amendment.

Priscilla Holmes, 220 Reo Ave., spoke in opposition.

Referred to the Committee on Physical Development.

By COUNCILMEMBER BENAVIDES—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Special presentation to Coach Booth of Lansing Catholic Central for winning team in Basketball.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Resolution No. 3A was pulled from the agenda.

H. James Starr, Attorney, spoke regarding Reports of City Officers and Boards letter 2b—Notice of denial of public driver application of Kevin Wayne Hatter.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been submitted for licenses:

Public Drivers: Richard Wililam White, Linda Gail Aiken, John Foster Kelley.

Cabaret: Au Delices

Referred to the Committee on General Services.

Claim filed by Mrs. George Adado, 2317 W. Michigan, regarding weed cutting assessment for property on Geir Street.

Referred to the Mayor and City Attorney.

Douglas R. Arnold, C.P.A., Audit Review Supervisor of Local Government Audit Division of State Dept. of Treasury, submits letter regarding audit recommendations for the Board of Water and Light.

Referred to the Board of Water and Light with copy to Committee on Ways and Means

Commercial Facilities Exemption Certificates for:

A. Redevelopment Parcel #12, Washington Ave. between Ionia and Ottawa St., filed by R.&A. Development Co.

B. Urban Development Parcels 5B1, 5C1, 6, 10 and 12 of downtown Lansing, filed by Gentilozzi Real Estate and Mgt. Co.

Referred to the Committee on Economic Development.

Consumers Power Company submits supplemental notice of hearing on Case No. U-8249 for Midland Nuclear Fuel Disposition Case.

Received and placed on file.

Michigan Department of Natural Resources submits

notice that City of Lansing has applied for a permit to replace the East Michigan Ave. bridge.

Received and placed on file.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Mayor's letters 4a (Leases for Urban Renewal Properties); 4b (Solomon's Land Offer) and 4g (Position of Lansing Housing Commission Director).

Mayor McKane introduced the new City Assessor, Russell Galvin who will start work on Monday, January 6, 1986.

REPORT OF COMMITTEE

The COMMITTEE ON GENERAL SERVICES—

Approves the following Licenses and Bonds:

Public Drivers—Richard William White, Linda Gail Aiken, John Foster Kelley.

Cabaret—Au Delices.

Signed:

SIDNEY WORTHINGTON
CHARLES CREAMER
ALFREDA SCHMIDT
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

Councilmember Benavides pulled the City Attorney letter regarding claim of Sharon Carpenter in the amount of \$995.96 for 1 week for additional information.

December 17, 1985

President Charles Creamer and
Members of Lansing City Council

RE: Claim of Keith Cunningham

Dear President Creamer and
Members of Lansing City Council:

On October 14, 1985, Keith Cunningham, 840 Fred, Apartment 19, Lansing, Michigan 48910, submitted a claim regarding damage to his vehicle on September 13, 1985. Claimant states that on that date at approximately 5:00 he and his spouse were travelling north on Cedar Street through a construction zone just north of Elm Street. Mr. Cunningham claims that his automobile ran over a steel rat-tail file which is in his possession. The file was brought up through the floorboard by his left front wheel. Mr. Cunningham's letter states, "the file had laid in the street for some time by the looks" (sic). Nevertheless, he feels that the City should pay for the repair or his automobile. The amount of the claim is \$42.00.

This claim was investigated by the Operations and Maintenance Division of the Public Service Department. There is no record of any report concerning debris in the road on Cedar at the intersection of Elm Street on that date. The Division was resurfacing this portion of Cedar during this time according to the investigation. But the type of work that the crews were doing did not require the use of a file such as that which caused damage to Mr. Cunningham's vehicle. According to the Operations and Maintenance Division, the file could have fallen out of any vehicle travelling in this area. The Department picks up debris in the road as it is reported to them by employees or citizens. There was no report of any file in the road until this claim was brought to their attention.

There was a police report taken on that date shortly after the incident. The police officer taking the report states in his investigation that he talked to two people on the construction crew and showed them the file which came through Mr. Cunningham's floorboard. These two individuals informed the police officer that neither the file in question nor one like it was used by the construction crew. According to the report, the driver kept the file.

As a result of this investigation it is the recommendation of this office that this claim be denied since it appears that there is no evidence to support Mr. Cunningham's contention that the City was responsible or liable.

Very truly yours,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMEMBER BENAVIDES—

That we concur in the recommendation of the City Attorney and this claim be denied.

Carried.

December 19, 1985

President Charles Creamer and
Members of the City Council

Dear Councilmembers:

Attached is an affidavit of disclosure signed by Larry Richard Houghton, II an employee of the Lansing Fire Department and owner of the American Safety Products of Mid-Michigan offering to do business with the City. This is in accordance with subsection 5-505.1 of the Lansing City Charter.

Sincerely,

RITA M. BAUMAN,
City Clerk.

Received and placed on file.

December 19, 1985

President Charles Creamer and
Members of the Lansing City Council

Dear Councilmembers:

Attached is an application for a public drivers license for Kevin Wayne Hatter that was returned to us

from the Police Department unsigned. The reason for denial is attached.

Sincerely,

RITA M. BAUMAN,
City Clerk.

Referred to the Committee on General Services.

December 19, 1985

City Clerk Rita Bauman

Dear Madame Clerk:

I received the attached letter from the R.E. Olds Museum Association President in response to questions I raised in the Committee on Public Properties and Safety.

Please place this item on the Council agenda so the City may formally receive this informatoin.

Thank you for your assistance.

Sincerely,

JAMES D. BLAIR
Councilmember-at-Large

Received and placed on file.

DATE: 12/19/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Economic Development Committee

RE: Leases for Urban Renewal Properties

The attached correspondence is submitted for your
information.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Economic Development.

DATE: 12/19/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence

RE: Solomon's Land Offer

The attached correspondence is submitted for your
information.

TERRY J. MCKANE,
Mayor.

Received and placed on file.

DATE: 12/19/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

DATE: 12/19/85

SUBJECT: Submission of attached correspondence
from Director of Building Safety

TO: City Council President Creamer and
Councilmembers

RE: Demolition Approval—712 Center St.

FROM: Terry J. McKane, Mayor

The attached correspondence is submitted with my
concurrence for your action.

SUBJECT: Submission of attached correspondence
from Budget Director

TERRY J. MCKANE,
Mayor.

RE: Transfer of Funds

Referred to the Committee on General Services.

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. MCKANE,
Mayor.

DATE: 12/23/85

Referred to the Committee on Ways and Means.

TO: City Council President Creamer and
Councilmembers

DATE: 12/20/85

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Human Relations Director

TO: City Council President Creamer and
Councilmembers

RE: FY 84/85 Affirmative Action Goal Attainment
Summery

FROM: Terry J. McKane, Mayor

The attached correspondence is submitted for your
information.

SUBJECT: Submission of attached correspondence
from Dunning and Canady, P.C.

TERRY J. MCKANE,
Mayor.

RE: Position of Lansing Housing Commission Direc-
tor

Referred to the Committee on General Services.

The attached correspondence is submitted for your
information.

TERRY J. MCKANE,
Mayor.

DATE: 12/19/85

Referred to the Committee on General Services.

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director, Lansing Planning Division

RE: Z-30-85, 405 East Holmes Road

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Physical Develop-
ment.

DATE: 12/19/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director, Lansing Planning Division

RE: SLU-19-85, 3000 Block of East Jolly Road

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. MCKANE,
Mayor.

Referred to the Committee on Physical Develop-
ment.

RESOLUTIONS

By COMMITTEE ON GENERAL SERVICES—

RESOLUTION #0668

Resolved by the City Council of the City of Lansing:

That the following appointments and re-
appointment to the Lansing Cable Advisory Board,
nominated by Continental Cablevision in accordance
with City policy established by a resolution passed on
September 11, 1978, are hereby confirmed for terms to
expire September 30, 1988.

Ruth Parke, to represent Education Access Users
(re-appointment).

Susan Glenn, to represent Government Access
Users, replacing Terese Plachetka (new appointment).

Argelio (Ben) Perez, to represent the Community-
at-Large, replacing Joel Ferguson (new appointment).

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

RESOLUTION #0669

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Building Safe-

ty Division determine that the building located at 808 East Michigan Avenue legally described as Lot 4, Block 5, Green Oak Add

Was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Board on October 24, 1985, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on December 9, 1985, to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building; and

Be It Further Resolved that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within thirty (30) days from the date of this resolution; and

Be It Further Resolved that, should the owner fail to substantially comply with the Hearing Officer's order for demolition or otherwise make safe, the Director of the Department of Building Safety and Development is hereby directed to proceed with demolition of said building; and

Be It Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Finally Resolved that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION APPROVING PROJECT PLAN
AND ISSUANCE OF BONDS
(Inter State Foods, Inc. Project)

RESOLUTION #0670

Minutes of a regular meeting of the City Council of

the City of Lansing, Michigan held at 7:00 o'clock p.m., Michigan Time, on December 23, 1985, at which the following members were present:

Councilman Adado, Benavides, Blair, Creamer, Lindemann, Schmidt, and Worthington, and the following were absent: Councilmember Belen.

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Benavides:

Whereas, this City Council has given notice pursuant to Section 17 of Act No. 3e38 of the Michigan Public Acts of 1974, as amended (the "Act") and Temporary Treasury Regulations Section 5f.103-2, of a public hearing which was held earlier on December 23, 1985 relative to (i) the Project Plan for the Inter State Foods, Inc. Project (the "Project") of The Economic Development Corporation of the City of Lansing (the "Issuer") and (ii) the issuance of bonds by the Issuer to assist in the financing of the Project.

Whereas, at said public hearing, the fullest opportunity was given for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the Project Plan, and the issuance of bonds, and further, this City Council has given due consideration to all communications received in writing with reference thereto; and

Whereas, this City Council made and preserved a record of the public hearing, including all data presented thereat; and

Whereas, this City Council desires to express its approval of said Project Plan and the Project described therein and the issuance of bonds by the Issuer to assist in the financing of the Project, and wishes to request the Issuer to proceed with the Project and the financing thereof.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, as follows:

1. It is hereby determined that the Project Plan for the Project as presented constitutes a public purpose within the meaning of the Act and said Project Plan is hereby approved in its entirety based on the following considerations:

(a) The Project Plan meets the requirements set forth in Section 8 of the Act.

(b) The person who will be active in the management of the Project for not less than one year after the approval of the Project Plan have sufficient ability and experience to manage the Plan properly.

(c) The proposed method of financing the Project is feasible and the Issuer has the ability to arrange the financing.

(d) The Project is reasonable and necessary to carry out the purposes of the Act.

2. By adoption of this resolution approving the Project Plan this City Council intends to and hereby does approve the issuance, sale and delivery of not to exceed \$800,000 in aggregate principal amount of limited obligation economic development bonds described in the Project Plan as is required by the Tax Equity and Fiscal Responsibility Act of 1982, and Temporary Treasury Regulations Section 5f.103-3.

3. The Issuer is hereby requested to proceed with the Project and the financing thereof.

4. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

5. The City Clerk is hereby directed to provide three (3) certified copies to the Secretary of the Issuer.

Yeas—Councilman Adado, Benavides, Blair, Creamer, Lindemann, Schmidt and Worthington—8.

Nays—None.

Abstentions—None.

Resolution declared adopted.

STATE OF MICHIGAN)
COUNTY OF INGHAM) SS.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Michigan, held on the 23rd day of December, 1985, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

RITA M. BAUMAN,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0671

Resolved by the City Council of the City of Lansing:

Whereas, the Oldtimers Baseball Organization has requested City co-sponsorship of their annual dinner scheduled for Monday, January 13th at the Civic Center, and

Whereas, the Oldtimers Baseball Organization will be celebrating its 26th Anniversary this year, and

Whereas, the City has covered the costs of using the Civic Center for this event for the last fifteen years, now

Therefore, Be It Resolved, the City Council of the City of Lansing, hereby authorizes City payment of the Civic Center fees for the Oldtimers Baseball Organization's annual dinner on January 13th, 1985, and,

Be It Finally Resolved that Civic Center shall be reimbursed from the City's Special Activities account.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

RESOLUTION #0672

Resolved by the City Council of the City of Lansing:

Whereas the Committee on Public Properties and

Safety has carefully reviewed the recommendations of the Ad Hoc Committee, and

Whereas, the Committee has reviewed the use and management analysis of the Civic Center and the Convention/Exhibition Hall and agrees the Civic Center and Exhibition Hall should be managed in a manner designed to maximize utilization of these two facilities for functions consistent with their primary design, and

Whereas, to achieve this goal, the Committee believes management flexibility should be encouraged to attract as many events as possible, now

Therefore, Be It Resolved, the City Council of the City of Lansing generally concurs with the recommendations contained in the study performed by Coliseum Consultants, and

Be It Further Resolved, on or by January 30, 1986 recommendation and proposals regarding the creation responsibilities and funding of an independent authority or appropriate independent agency and its director be made by the Administration.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

RESOLUTION #0673

Resolved by the City Council of the City of Lansing:

Whereas, the Administration has requested the creation of a new Real Estate 36 position in the Property Management Division of the Administrative Services, and,

Whereas, this request has triggered Council discussion regarding the whole subject of the City's handling of real estate matters, now

Therefore, Be It Resolved, the City Council of the City of Lansing hereby requests the Administration take the Real Estate 36 position back under advisement, and

Be It Further Resolved, the Administration is herewith requested to develop a proposal and a recommendation whereby all the City's real estate transactions will be handled by either one individual or one division, and

Be It Finally Resolved, the Council anticipates a response by Thursday, January 16th, 1986.

Adopted by the following vote:

Unanimously.

By WAYS AND MEAN COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

\$20,000.00 from Reserve for Contingency

A/C 101-941-000-963

20,000.00 to Police Evidence Fund—Metro

A/C 101-305-016-958

(Additional funding needed to complete ongoing investigations).

\$1,700.00 from Police Patrol Bureau Salaries

A/c 101-316-000-702

850.00 to Police Uniform Div., Patrol Bureau Operating Supplies

A/C 101-316-000-740

(Food, equipment, and pen for dogs for canine patrol) 600.00 to Police Uniform Division

(Medical checkups for dogs for canine patrol)

250.00 to Admin. Services Central Garage

Special Vehicle Equipment

(Platforms for vehicles for use by canine patrol)

A/C 101-222-006-985

Balance remaining in the Reserve for Contingency Fund after this transfer is \$352,042.00.

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director

APPROVED:

PATRICK LINDEMANN
TONY BENAVIDES
Ways and Means Committee

By COUNCILMAN BLAIR—

That the Transfer of Funds be separated and the \$20,000.00 transfer from Reserve for Contingency to Police Evidence Fund-Metro be voted on first.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BLAIR—

That the \$1,700.00 from Police Patrol Bureau Salaries be pulled from the agenda for a week.

Carried.

INTRODUCTION OF ORDINANCES

The following ordinance(s) of the City of Lansing, Michigan providing that the code of ordinances be amended by: adding new sections to Chapter 21 numbers 21-25 through 21-37 inclusive so as to regulate, restrict, and prohibit smoking in public places and office work places within the City of Lansing and to provide a method of enforcement and penalties for violations of smoking regulations.

Introduced by Councilmembers Blair, Belen, Benavides, Creamer and Schmidt read a first and second time by its title(s) and referred to the Committee on General Services.

The following ordinance(s) of the City of Lansing, Michigan providing that the code of ordinances be amended by:

Adding a new Chapter 17C for the purpose of prohibiting discrimination in Real Estate Transactions involving Housing Accommodations on the basis of Race, Color, Sex, Marital status, Age, National Origin, Religion, Ancestry, Political Orientation, Sexual Preference, Handicap or Source of Income in the City of Lansing was introduced by Councilman Lindemann read a first and second time by its title(s) and referred to the Committee on General Service.

By COUNCILMEMBER WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, January 6, 1986 at 7:00 p.m. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving the Ordinance to amend Chapter 21—Nuisances by adding new sections numbered 21-25 through 21-37 inclusive, so as to regulate, restrict, and prohibit smoking in public places and office work places within the City of Lansing and to provide a method of enforcement and penalties for violations of smoking regulations.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBER LINDEMANN—

Resolved by the City Council of the City of Lansing:

That a public hearing be set for Monday, January 6, 1986 at 7:00 p.m. in the 10th Floor Chambers of City Council for the purpose of opposing and/or approving the ordinance adding a new Chapter 17C for the purpose of prohibiting discrimination in Real Estate Transactions involving Housing Accommodation on the basis of Race, Color, Sex, Marital Status, Age, national Origin, Religion, Ancestry, Political Orientation, Sexual Preference, Handicap or Source of Income in the City of Lansing.

Adopted by the following vote:

Unanimously.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing:

That Councilman Belen be excused from the session.

Carried.

REMARKS BY THE MAYOR

Mayor McKane wished everyone a very Merry Christmas.

REMARKS BY THE CITY COUNCIL

Councilmember Adado urged contributions for the Food Bank and asked for the administrator to present a review of policy concerning the hanging of a banner at Civic Center by Capital Caravan Club.

Councilmember Schmidt commented on pulling of resolution for the Solomon/Sablin Pits.

By COUNCILMEMBER CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 7:40 P.M.

RITA M. BAUMAN,
City Clerk.

December 23, 1985
Lansing, Michigan

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

Proceedings, December 30, 1985

CITY COUNCIL ROOMS

Lansing, Michigan

December 30, 1985

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Creamer.

Present: Councilmen Adado, Belen, Benavides, Creamer, Lindemann, Schmidt, Worthington—8.

Absent: Councilmember Blair—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Mayor McKane.

Pledge of Allegiance.

By COUNCILMEMBER BENAVIDES—

That the council proceedings of November 18, 1985 be approved and Carried.

PUBLIC HEARING

December 30, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Facilities Exemption certificate for Gentilozzi Real Estate, Corner of Washington Avenue and Shiawassee Street (Urban Renewal Parcel #6) CRD-18-85—for construction of a new facility.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Commercial Facilities Exemption Certificate they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

December 30, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Facilities Exemption Certificate for Gentilozzi Real Estate, Corner of Washington Avenue and Ottawa Street (Urban Renewal Parcel #10) CRD-20-85 for construction of a new facility.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Commercial Facilities Exemption Certificate they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

December 30, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Facilities Exemption Certificate for Gentilozzi Real Estate, Washington Avenue between Shiawassee Street and Ionia Street (for the construction of a new facility). CRD-21-85—Urban Renewal Parcel #5B1 & 5C1.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Commercial Facilities Exemption Certificate they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

December 30, 1985 at 7:00 o'clock p.m. in the City Council Chambers, 10th Floor, City Hall, being the time and place set as the time for holding a public hearing on the proposed Commercial Facilities Exemption Certificate for R&A Development Company, Washington Avenue between Ionia Street and Ottawa Street (Urban Renewal Parcel #12) CRD-19-85 for construction of a new facility.

The Council President will announce that if there is anyone present who has any suggestions or objections to make to the proposed Commercial Facilities Exemption Certificate they will have the privilege of speaking at this time.

No persons spoke.

Referred to the Committee on Economic Development.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS.

COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3-MINUTES ON ANY ONE ITEM.

Committee Report #2 and Resolution #5 were pulled.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

Public Driver—Brian Farrow Bellew.

Referred to Committee on General Services.

Claims filed by:

William E. Rheame, Attorney for Maggie Washington for injuries and damages she sustain due to fall on uneven sidewalk at 228 So. Capitol Avenue.

Paula S. Gregory, Legal Intern for Harold Tillman for damages done to walls and ceiling in his house incurred because of the use of heavy construction equipment for the repair of sewers in Burchfield Avenue area in 1983.

Referred to Mayor and City Attorney.

MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Mayor's letter 4a (Saving of Envelopes for Audit During 1985-86 tax season); 4b (Support of 1985 Holiday Open House Convention/Visitors Bureau's 25th Anniversary); 4d (FY 84/85 Affirmative Action Goal Attainment Summary).

REPORT OF COMMITTEE

The COMMITTEE ON GENERAL SERVICES—

Approves the following Licenses and Bonds:

Public Driver—Brian Farrow Bellew

Signed:

SIDNEY WORTHINGTON
ALFREDA SCHMIDT
CHARLES CREAMER
Committee on General Services

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

REPORTS OF CITY OFFICERS AND BOARDS

DATE: 12/23/85

TO: Council President Charles Creamer, Mayor Terry McKane, & City Clerk Rita Bauman

FROM: Edward J. Piloske, Principal Internal Auditor, Audit Author
Submitted through Louis Klimecky, Chief of Internal Audit

SUBJECT: Comprehensive Audit of the Purchasing Functions and Operations

The following is an audit of Purchasing functions and operations for the period of July 1, 1984 thru August 31, 1985 which is being submitted to you in accordance with Sections 3-402.2 and 3-402.3(a) & (b) & (c) of the City Charter. The following is an abstract of the audit for your convenience. The abstract itemizations refer to the pages of the audit where the contextual details and supporting rationale for the statements appearing in the abstract can be found. We urge you to refer to the audit itself to obtain a comprehensive understanding of the issues involved.

ABSTRACT

Audit: Financial/Compliance with Significant Operational Auditing Aspects Regarding Purchasing Functions & Operations.

Period Audited: July 1, 1984 thru August 31, 1985.

Scope of Audit: A) Compliance of department to Purchasing Ordinance; B) audit of accounting & administrative internal control; C) operational audit of Restoration of Buyer's Position; D) audit of Purchasing's activities regarding professional service contracts.

This audit constitute an essential element of the City's basic system of internal control. An independent branch oversees a vulnerable function in the City's operations. This audit is mandated by Charter Section 3-402.2 (this item covered in pages 1 & 2 of the audit).

Conclusion: The Purchasing Department is in substantial compliance with the City's Purchasing Ordinance. Internal Audit issues this positive opinion with recommendations to further improve operations. Operational audit aspects pertaining to economy/efficiency and program effectiveness are treated in the special reports pages 5 & 6 and items A, B-II and D of the Findings. (Formal opinion & statistical data of the audit are on page 4 and 5.)

Special Reports:

A. Restoration of Buyer's Position

We excerpt from the audit:

"In light of (1) the direct savings verified by audit (excerpt: \$19,526.17); (2) the augmentation of administrative internal control which has yielded and will prospectively yield long term cost savings; (3) the additional time resources generated to remaining staff enhancing their cost containment activities, and (4) the increased workload of the Department, it is our opinion that the utility of the position has amply proven itself on a cost/benefit basis."

The detailed rationale is covered on page 5 of the audit.

B. Review of Purchasing Department's Assumption of Administrative Control over Professional Service Contracts

We excerpt from the audit:

"From an audit viewpoint, we approve of the augmentation of administrative internal control through the inclusion of the Purchasing Department in the professional service contract selection process. The application of this oversight function provides a desirable check and balance mechanism. Further, the professional expertise of the user agency in the technical aspects of the contract (be it engineering, park planning, etc.) combined with the skill of the Purchasing function to assure a competitive contract award in a given set of circumstances results in a more advantageous outcome for the City."

The detailed rationale is covered on Page 6 of the audit.

Findings & Recommendations.

A. Lack of Purchasing Procedures Manual

We excerpt from the audit:

"However, a continuing deficiency noted in our audit of October 13, 1983 still exists. There is no formal purchasing manual (standard operating procedures) to guide departmental employees regarding their participation and responsibilities in the purchasing operation. Admittedly, many employees are familiar with routine purchasing procedures through past practice. But new employees lack such orientation. Even senior employees may be confused over non-routine purchases or what actions are to be taken when unusual or "emergency" situations arise. Verbal instructions from the Purchasing Department may be palliative, but difficulties emerge on nights and weekends when such contact may be unavailable. Likewise, the lack of a manual cannot but increase the number of unnecessary calls to Purchasing, negatively impacting on staff efficiency.

... We recommend that the draft purchasing operating procedures manual be updated and issued immediately.

... There is no substitute for a standard operating procedures manual to insure good administrative internal control, smooth operations and minimum disruption of staff time.

We further reiterate the following recommendation pertaining to administrative internal control which appeared in our last audit.

... a recommendation that should at least receive consideration, would be the conduction of an annual purchasing procedures seminar by the Purchasing Division. All city employees having major procurement responsibilities for their department (division, unit, etc.) would be required to attend. There, purchasing policies, procedures, methods, rationale could be presented in detail. Specific questions and misunderstandings of participants could be resolved. Often the direct conveyance of information and interaction of a seminar is more effective in accomplishing results than numerous manuals. Only a modicum of time should be required, and the potential for improving performance is substantial. This approach would also be in accord with current training policies to upgrade the skill level of our employees."

(This item is covered on Page 7 of the audit.)

B. Findings & Recommendations Pertaining to the Bidding Process

In four instances purchases exceeding \$10,000.00 did not undergo the bid process. It was our determination, after thorough audit, that Purchasing made good faith estimates that such purchases would not exceed \$10,000.00 but all written quotes in those instances exceeded \$10,000.00. The four transactions involved constitute .1% (one tenth of 1%) of the total bid base and therefore is not determined to be a material exception.

In one instance, a vendor complained that on-site demonstration of equipment was not a specification requirement but was subsequently demanded by the City as a condition of purchase. This effectively disqualified his firm as the cost of such a demonstration was not incorporated in his bid. Fortunately the point was moot. After thoroughly reviewing the documentation, the complainant was nonconforming in several technical specifications.

In another instance, a prospective consultant submitted a letter of complaint that Purchasing gave them insufficient time to promulgate a proposal.

We recommended certain refinements and additions in procedures to prevent future difficulties in the areas treated by audit finding B. (This item is covered on Page 8 of the audit.)

C. Emergency & Sole Source Purchases

We recommended that certain formal reports pertaining to emergency and sole source procurements be filed to comply with the Purchasing ordinance. (This item is covered on Page 9 of the audit.)

D. Vendors' Commodities/Services File Errors

We excerpt from the audit:

"Purchasing is currently updating vendor applications and posting by code all commodities and services in a central file. This file will ultimately be computerized when data processing completes its programming on this project. In our audit sample, we detected a 27% error rate whereby applicant-designated products/services were not posted to the central file.

... Due to the high audit sample error rate on the postings to the commodities/services file, we recommend the postings be verified before being entered into computer data files. Further, we recommend management analysis and review of vendor claims. It should be determined if the vendor has the ability and capacity to actually provide such products/services. Lastly, any adverse experience with a vendor should be noted in the applications file on that vendor." (This item appears on Page 10 of the audit.)

E. Vendors in Financial Default to the City

We detected \$9,667.88 in purchases from delinquent vendors. This is considered an immaterial amount in consideration of total purchasing volume. (This item is covered on Page 10 of the audit.)

F. Evasions of Petty Cash Limitation

We detected 7 instances where the \$50.00 petty cash limitation was evaded. The matter was turned over to the Controllers Office for enforcement. Controllers will utilize the information obtained in this audit to

target review on potential problem areas. (This item is covered on Page 11 of the audit.)

G. Preservation of Discounts

To assure that current discounts allowed by certain vendors are not accidentally forfeited, we recommended that certain additional administrative procedures be used. (This item appears on Page 11 of the audit.)

Referred to the Mayor and Committee on General Services.

December 26, 1985

President Charles Creamer and
Members of the Lansing City Council

Dear Councilmembers:

In accordance with Section 7-107 of the Lansing City Charter I am forwarding copies of the executive transfers that have been placed on file in the City Clerk's office by the Budget Director.

Sincerely,

RITA M. BAUMAN,
City Clerk.

Referred to Committee on Ways and Means.

DATE: 12/20/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Internal Auditor

RE: Saving of Envelopes for Audit during 1985-86
Tax Season

The attached correspondence is submitted for your
information.

TERRY J. MCKANE,
Mayor.

Received and placed on file.

DATE: 12/23/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Donald Ristow

RE: Support of 1985 Holiday Open House
Convention/Visitors Bureau's 25th Anniversary

The attached correspondence is submitted for your
information.

TERRY J. MCKANE,
Mayor.

Received and placed on file.

DATE: 12/20/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from Director of Building Safety

RE: Trash Assessment for July 1986 Tax Roll
U-30] (\$5,795.50)

The attached correspondence is submitted with my
concurrence for your action.

TERRY J. MCKANE,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the
Mayor and said assessment be placed on the July 1986
tax roll.

Carried.

Councilman Lindemann announced that the resolution from the Committee on Public Properties and Safety regarding ACT-23-85—Gift of Solomon and Sablin Gravel Pits was being withdrawn from Council at the request of Otto Solomon and no further action needs to be taken by City Council.

DATE: 12/23/85

TO: City Council President Creamer and
Councilmembers

FROM: Terry J. McKane, Mayor

SUBJECT: Submission of attached correspondence
from the Human Relations Director

RE: FY 84/85 Affirmative Action Goal Attainment
Summary

The attached correspondence is submitted for your
information.

TERRY J. MCKANE,
Mayor.

Received and placed on file.

RESOLUTIONS

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION #0676

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-10-85 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, at 1322 E. Michigan Ave.; and

Whereas, X-Ray Associates has applied for a Commercial Facilities Exemption Certificate for renovation of an existing facility within said Commercial Redevelopment District CRD-10-85; and

Whereas, a hearing was held on X-Ray Associate's

application for an Exemption Certificate on December 16, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, the policies of this Council regarding the issuance of Commercial Facility Exemption Certificates have not been met because the real property taxes for this facility have not been paid, as of today's date; and

Now, Therefore, Be It Resolved that the Council of the City of Lansing denies the application from X-Ray Associates for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-10-85, for renovation of an existing structure, because of the failure to pay the real property taxes owned on the facility at 1322 E. Michigan Avenue.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0677

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-2-81 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, at 3222 S. Logan, known as Logan Square; and

Whereas, Frandorson Properties has applied for a Commercial Facilities Exemption Certificate for construction of a new facility within said Commercial Redevelopment District CRD-2-81; and

Whereas, a hearing was held on Frandorson Properties' application for an Exemption Certificate on December 23, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, Frandorson Properties has met or will meet the requirements for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated December 17, 1985 attached hereto).

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the application from Frandorson Properties for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-2-81, for construction of a new facility, to remain in effect for a period of twelve (12) years.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0678

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-12-85 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, on Monroe Street between Cedar and Larch; and

Whereas, Norken Realty has applied for a Commercial Facilities Exemption Certificate for construction of a new facility within said Commercial Redevelopment District CRD-12-85; and

Whereas, a hearing was held on Norken Realty's application for an Exemption Certificate on December 16, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, Norken Realty has met or will meet the requirements for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated December 17, 1985 attached hereto).

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the application from Norken Realty for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-12-85, for construction of a new facility, to remain in effect for a period of twelve (12) years.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0679

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-6-85 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, at the northwest corner of Edgewood Boulevard and South Cedar; and

Whereas, Universal Companies, Inc. has applied for a Commercial Facilities Exemption Certificate for construction of a new facility (Mr. Steak) within said Commercial Redevelopment District CRD-6-85; and

Whereas, a hearing was held on Universal Companies' application for an Exemption Certificate on November 25, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, Universal Companies, Inc. has met or will meet the requirements for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously

granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated December 26, 1985 attached hereto).

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the application from Universal Companies, Inc. for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-6-85, for construction of a new facility, to remain in effect for a period of six (6) years, and

Be It Further Resolved, that this recommendation is made because the applicant's request for a variance at their existing location was denied by the Board of Zoning appeals; this denial necessitating the applicant's move from their existing location, to the CRD-6-85 location.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION #0680

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-17-85 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, on Alpha Street of Pennsylvania Avenue; and

Whereas, Americor Ventures, Inc. has applied for a Commercial Facilities Exemption Certificate for construction of a new facility (Horizon House) within said Commercial Redevelopment District CRD-17-85; and

Whereas, a hearing was held on Americor Venture's application for an Exemption Certificate on December 16, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, Americor Ventures, Inc. has met or will meet the requirements for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated December 26, 1985 attached hereto).

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the application from Americor Ventures, Inc. for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-17-85, for construction of a new facility, to remain in effect for a period of twelve (12) years.

By COUNCILMAN ADADO—

That Councilmember Creamer be excused from voting on this resolution.

Carried.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION #0681

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-17-85 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, on Alpha Street of Pennsylvania Avenue; and

Whereas, Americor Ventures, Inc. has applied for a Commercial Facilities Exemption Certificate for renovation of an existing facility (Horizon House) within said Commercial Redevelopment District CRD-17-85; and

Whereas, a hearing was held on Americor Venture's application for an Exemption Certificate on December 23, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, Americor Ventures, Inc. has met or will meet the requirements for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated December 26, 1985 attached hereto).

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the application from Americor Ventures, Inc. for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-17-85, for renovation of an existing facility, to remain in effect for a period of twelve (12) years.

By COUNCILMEMBER ADADO—

That Councilmember Creamer be excused from voting on this resolution.

Carried.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION #0682

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-17-85 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, on Alpha Street of Pennsylvania Avenue; and

Whereas, Americor Ventures, Inc. has applied for a Commercial Facilities Exemption Certificate for construction of a new facility (LGH Medical Office Bldg.)

within said Commercial Redevelopment District CRD-17-85; and

Whereas, a hearing was held on Americor Venture's application for an Exemption Certificate on December 16, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, Americor Ventures, Inc. has met or will meet the requirements for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated December 26, 1985 attached hereto).

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the application from Americor Ventures, Inc. for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-17-85, for construction of a new facility, to remain in effect for a period of ten (10) years.

By COUNCILMEMBER ADADO—

That Councilmember Creamer be excused from voting on this resolution.

Carried.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0683

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-18-85 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, at the corner of Washington Avenue & Shiawassee Street (Urban Renewal Parcel #6); and

Whereas, Gentilozzi Real Estate and Management Company has applied for a Commercial Facilities Exemption Certificate for construction of a new facility within said Commercial Redevelopment District CRD-18-85; and

Whereas a hearing was held on Gentilozzi Real Estate's application for an Exemption Certificate on December 30, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, Gentilozzi Real Estate and Management Company has met or will meet the requirements for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously

granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated December 26, 1985 attached hereto).

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the application from Gentilozzi Real Estate and Management Company for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-18-85, for construction of a new facility, to remain in effect for a period of twelve (12) years.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0684

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-19-85 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, at Washington Avenue between Ionia & Ottawa Street (Urban Renewal Parcel #127); and

Whereas, R&A Development Company has applied for a Commercial Facilities Exemption Certificate for construction of a new facility within said Commercial Redevelopment District CRD-19-85; and

Whereas, a hearing was held on R&A's application for an Exemption Certificate on December 30, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, R&A Development Company has met or will meet the requirements for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated December 26, 1985 attached hereto).

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the application from R&A Development Company for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-19-85, for construction of a new facility, to remain in effect for a period of twelve (12) years.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0685

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-20-85 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, at the corner of Washington Avenue & Ottawa Street (Urban Renewal Parcel #10); and

Whereas, Gentilozzi Real Estate and Management Company has applied for a Commercial Facilities Exemption Certificate for construction of a new facility within said Commercial Redevelopment District CRD-20-85; and

Whereas, a hearing was held on Gentilozzi Real Estate's application for an Exemption Certificate on December 30, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, Gentilozzi Real Estate and Management Company has met or will meet the requirements for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated December 26, 1985 attached hereto).

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the application from Gentilozzi Real Estate and Management Company for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-20-85, for construction of a new facility, to remain in effect for a period of twelve (12) years.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—
RESOLUTION #0686

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-21-85 in the City of Lansing, pursuant to Public Act 255 of 1978, as amended, on Washington Avenue between Shiawassee & Ionia Streets (Urban Renewal Parcel #5B1 & 5C1); and

Whereas, Gentilozzi Real Estate and Management Company has applied for a Commercial Facilities Exemption Certificate for construction of a new facility within said Commercial Redevelopment District CRD-21-85; and

Whereas, a hearing was held on Gentilozzi Real Estate's application for an Exemption Certificate on December 30, 1985 at which time all interested persons had an opportunity to be heard; and

Whereas, Gentilozzi Real Estate and Management Company has met or will meet the requirements for said Exemption Certificate as required by Public Act 255 and by the policies of this Council; and

Whereas, this Council finds that the granting of this Exemption Certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing (financial impact statement dated December 26, 1985 attached hereto).

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the application from Gentilozzi Real Estate and Management Company for an Exemption Certificate in Lansing Commercial Redevelopment District CRD-21-85, for construction of a new facility, to remain in effect for a period of twelve (12) years.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—
RESOLUTION #0687

Resolved by the City Council of the City of Lansing:

Whereas after serving over six years as Executive Assistant to City Council, Mr. Bruce Stark has submitted his resignation from that position, and

Whereas, Mr. Stark has served City Council faithfully and with skill during his time as Executive Assistant, Now, Therefore,

Be It Hereby Resolved that Mr. Stark's resignation is accepted, and

Be It Further Resolved that Mr. Stark is granted ninety (90) days severance pay with full insurance benefits for that period of time subject to execution of an appropriate release with the City Attorney's office and in addition to compensation for other accrued vacation and personal leave time and,

Be It Finally Resolved, City Council expresses its appreciation and thanks to Mr. Stark for his service as Executive Assistant.

By COUNCILMEMBER LINDEMANN—

I move that the "90 days severance pay" be changed to read "120 days severance pay".

Lost by the following vote:

Yeas—Councilmembers Belen, Lindemann—2.

Nays—Councilmembers Adado, Benavides, Creamer, Schmidt, Worthington—5.

The resolution was adopted by the following vote:

Yeas—Councilmembers Adado, Belen, Benavides, Creamer, Schmidt, Worthington—6.

Nays—Councilmember Lindemann—1.

By COMMITTEE OF THE WHOLE—
RESOLUTION #0688

Resolved by the City Council of the City of Lansing:

That the public hearing originally scheduled for January 6, 1986, on the proposed ordinance to amend Chapter 21 of the City Code (Nuisances) by adding new sections to regulate, restrict and prohibit smoking in public places and office work places within the City of Lansing be hereby postponed, and the new date for said public hearing to be set per recommendation from the Committee on General Services.

Adopted by the following vote:

Unanimously.

By COUNCILMAN ADADO—

RESOLUTION #0689

Resolved by the City Council of the City of Lansing:

That Section H of Article 5 of the Council Staff Personnel Rules is hereby amended to read as follows:

H. Employment Contract

No later than February 1, 1986, the Council in conjunction with the appropriate appointing authority shall develop and implement an employment contract for all members of the Council Staff subject to the City Charter, Ordinances, policies and these Personnel Rules.

Adopted by the following vote:

Unanimously.

By COUNCILMEMBERS BELEN AND SCHMIDT—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

By COUNCILMEMBER BELEN—

RESOLUTION #0690

Resolved by the City Council of the City of Lansing:

Whereas, the January 15, 1985 Personnel Rules provide that no later than January 1, 1986 the Mayor shall develop and implement employee contracts for all members of the Executive (Management) Plan; and

Whereas, negotiations between the Executive Pay Plan personnel and the Mayor are still continuing,

Now, Therefore, Be It Resolved, that Section F of the January 15, 1985 Personnel Rules for Executive (Management) Plan personnel is hereby amended to read as follows:

F. Employment Contract

No later than February 1, 1986, the Mayor shall develop and implement an employment contract for all members of the Executive (Management) Plan subject to the City Charter, Ordinances, policies and these Personnel Rules.

Adopted by the following vote:

Unanimously.

December 30, 1985

President Charles Creamer and
Members of the Lansing City Council

Dear Councilmembers:

Attached herewith are signed copies of approval from City Departments for a new 12-month Resort B-Hotel with Dance Permit for the Lansing-Clarion Hotel, 6820 S. Cedar Street.

The attached correspondence is submitted with my approval for your concurrence.

Most sincerely,

RITA M. BAUMAN,
City Clerk.

By COUNCILMEMBER SCHMIDT—

That we concur in the recommendation of the City Clerk and this license be approved inasmuch as all departments have signed approval.

Carried.

By COUNCILMEMBER ADADO—

Resolved by the City Council of the City of Lansing:

That Councilman Blair be excused from the session.

Carried.

REMARKS BY THE MAYOR

Trash pickup schedule for this week.

Announced that City Hall would be closed Tuesday and Wednesday.

Announced that Christmas trees would be picked up with regular orange bag pickup.

Wished everyone a Happy New Year.

REMARKS BY THE CITY COUNCIL

Councilmember Belen reminded everyone of need for money and donations for the Food Bank.

Councilmember Adado asked about the Outstate Equity Funding signed recently by the Governor.

Councilmember Schmidt remarked about Economic Development projects improving the City of Lansing image.

Mr. Emerson Ohl, Director of the Economic Development Corporation, announced that the Inter State contract has been signed and that Senator Riegel would be at the site of the new hotel on Thursday, January 2, 1986 at 11 a.m.

By COUNCILMEMBER CREAMER—

That this meeting stand adjourned.

Carried.

Council adjourned at 7:50 P.M.

RITA M. BAUMAN,
City Clerk.

December 30, 1985
Lansing, Michigan